MEMOIR
OF
Dr JOHN MILNE

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MEMOIR

OF

JOHN MILNE, M. D.,

(1775-1841)

Late President of the Medical Board, Bombay;

FOUNDER OF THE MEDICAL BURSARY AT ABERDEEN UNIVERSITY;
AND OF THE "MILNE BEQUEST" TO THE PAROCHIAL
SCHOOLS OF ABERDEENSHIRE.

BY

JOHN SMITH, A.M.,

ADVOCATE IN ABERDEEN.

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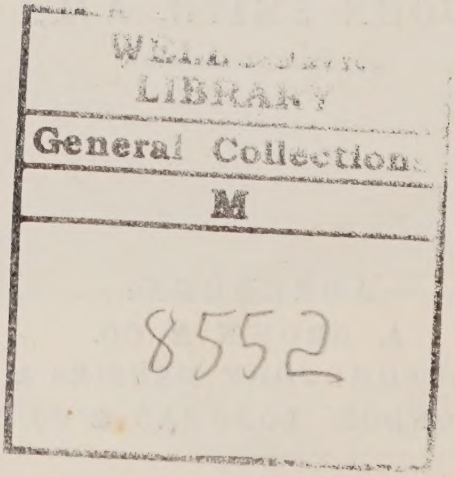

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PREFACE.

THIS Memoir was undertaken at the request of certain of Dr. Milne's Trustees, who were desirous that the personal history of this great benefactor of his native county should not sink into oblivion, but that some account of it, however imperfect, should be preserved, while any materials for the purpose are still at command.

From the length of time which has elapsed since his death, there are few, if any, now alive who were intimate with him during his period of active service in India; and his books and papers, from which much information might have been derived, have never been brought to this country. There are, consequently, few materials now to be had for tracing his career during the period of his active service in India; but this is the less to be regretted,

as it is not known to have been distinguished by any remarkable event, there being, in general, few stirring incidents in the career of a Medical man in India, and as the means fortunately exist of placing before the reader what is more important, viz., an exact portraiture both of the outward and of the inward man. The former is supplied by a portrait executed by the late Mr. John Moir, an artist belonging to Aberdeenshire, and well known both here and in Edinburgh, at a time when Dr. Milne was at his best, and in which his handsome face and figure (of which he was not a little vain), are done ample justice to; and the latter is chiefly derived from his letters to his intimate friend, the late Arthur Dingwall Fordyce, Esquire of Culsh and Brucklay. These letters are numerous, extending from 6th February, 1833, to 20th April, 1841, within three months of Dr. Milne's death, all written very closely, in a small hand of writing, from beginning to end of the sheet or sheets, and many of them written also across the sheet, and therefore requiring not a little labour and patience in the perusal. But these

letters, although very discursive, and having a great deal of reiteration, contain much information regarding the writer, and his habits and pursuits, that would otherwise have been lost. In fact, so much of the materials of this Memoir are derived from that source, that wherever a quotation is made, or a letter referred to, it is always to be understood that it applies to a letter to Mr. Dingwall Fordyce, unless the contrary is indicated; and that gentleman deserves to be kindly remembered by all who feel an interest in Dr. Milne's Bequest, were it only for his being the medium by which so much valuable information has been preserved. His claims on their consideration are, however, of a more substantial character, as will be seen in the sequel.

It is to be regretted that the materials alluded to have not fallen into hands more capable of doing them justice. But as the author was for a good many years professionally connected with Dr. Milne in his lifetime, and with his affairs since his death, and is now one of the assumed Trustees, he did not feel

at liberty to decline complying with the request made to him; and he hopes that this short Memoir will not only serve to make known Dr. Milne's personal history, so far as materials for it have been found, but will also explain, in his own words, more forcibly than could otherwise be done, the objects which he had in view by his endowment, viz., the elevation of the status of parochial teachers, and the education of the poor. It will also show that these objects, however good and laudable in themselves, were regarded by him merely as means to an end, viz., the improvement of the condition of the poorer classes of his countrymen in the future, by cultivating the minds of the children, and imbuing them with such qualities as would lead to their moral elevation, and to their success in life, and thus carry blessings to generations yet unborn. It is, therefore, to be hoped that the children enjoying the benefit of his Bequest will lay this to heart, and that they will strive energetically to realize the fond anticipations of the benevolent Testator.

MEMOIR

OF

DR. JOHN MILNE.

OF Dr. Milne's progenitors little is known beyond what is stated by himself in his correspondence with Mr. Arthur Dingwall Fordyce of Culsh, thereafter of Brucklay, which, as mentioned in the Preface, supplies the principal materials for this Memoir. His paternal Grandfather occupied the farm of Mains of Banchory, near Aberdeen, and his Father, of the same name as himself, was born there; but after a time, owing to some circumstances with which the Doctor was not acquainted, they removed to a farm in the parish of Skene, where the Grandfather died. They probably had got into reduced circumstances, as at the time of the Doctor's birth, his father resided in

Gilcomstone, a suburb of Aberdeen, in a humble sphere of life, in the service of the Gilcomston Brewery Company. His Mother, whose maiden name was Mowat, was born in the Kirktown of Monymusk, and was buried in the churchyard of that parish. She died when he was young, but he ever retained a grateful remembrance of her. In one letter he speaks of Monymusk as being the birthplace and the grave of a respected and affectionate Mother; and in another, after alluding to the main object of his educational efforts, viz., "that our poorer country people generally may have the blessing of an improved intellect to aid them in their progress through life," —he adds—"This was the last injunction given by my poor Mother to my Father on her deathbed, that he would spare no expense in affording me the means of improvement, and the old man religiously fulfilled her directions. Without such instruction I could not have pursued the course which has now enabled me to give assistance to others." Dr. Milne was not ungrateful for these attentions of his

parents. He had no opportunity of making any return to his Mother in her lifetime, but he evinced his respect for her memory, by repeatedly and urgently requesting that his experimental endowment should be commenced in the parish of her birth and burial; and he expressed great regret, when the zealous and long continued efforts of Mr. Fordyce for that object were frustrated, in consequence of his being unable to induce the clergyman of the parish, and also the proprietor, to enter into the views of himself and Dr. Milne. To his Father, however, he was enabled to make a more substantial return, having provided for his comfortable maintenance during his latter days, and having also given an annuity for life to his widow, the Stepmother of Dr. Milne. His Father was buried in the churchyard of Nether Banchory.

Dr. Milne was born at Gilcomston, on 20th April, 1775. For some time he attended the school attached to the Chapel of Ease, at Gilcomstone (now the church of a Quoad Sacra district of the parish of Old Machar), his ex-

perience of which he records in the following terms:—"At that school I was allowed to idle away twelve months, which had an important effect on my after studies. Whereas, had I been obliged to devote more time to my studies, and less to play, the habit would have been established, and I should not, as I did, have lost twelve months, and have found study a pain, instead of a pleasure, as it might have been." His native energy, however, soon got the better of this early obstruction. In the year 1789, he entered as a student at King's College and University of Aberdeen, in the first class of the usual curriculum of Arts (the Greek), and gained one of the Fullarton Bursaries. His progress at this period will be seen from the following quotation:—"I was a dunce when I began to have Latin and Greek hammered into my head, but after a time I kept the head of the Greek class at King's College, where the rule was competition." This shows a system of exciting emulation, by competition for places in the class, which has long been unknown to our Universities. Another system very different

from modern ideas, but of long standing in the University, continued down to that time, and even to the time when Dr. Milne founded his Medical Bursary at King's College, in the year 1800, viz., that of rotation among the professors —being thus alluded to by him:—"When the medical burse was established, each of the three professors of the upper classes brought their respective classes forward in rotation through the second, third, and fourth years."

The Fullarton Bursaries above mentioned were competitive, and of two classes, the first amounting to £7 10s., and the second to £5. The one gained by Dr. Milne was of the latter class, and the money was paid, and accounted for, to him as follows:—

First payment	£2	0	0
Fees	1	12	$8\frac{2}{3}$
Second payment	1	7	$3\frac{1}{3}$
	£5	0	0

The "fees" above mentioned included those payable to the professors, as well as those for other purposes. From a Report on the Mor-

tifications, dated in 1809 or 1810, it appears that the fees paid to the professors, by the holders of small bursaries, were 20 merks Scots (£1 2s. 2⅔d. sterling), and of the larger ones, £1 11s. 6d., those payable by other students being £2 2s.; the remainder of the fees being for examination, servants, &c. The gaining of the above Bursary, small as it was, must have been of immense importance to Dr. Milne, as not only paying his College fees, but also providing for his maintenance; or, if his Father was able to support him, providing for his future education and pursuits. The amount may seem, according to modern ideas, quite inadequate for these purposes, but it was no unusual thing at that time, and for a long time thereafter, for poor lads from the country to pay their College fees, and maintain themselves during the session, from a £5 Bursary: and even sometimes to pay their winter expenses at College from their summer labours at the plough. Those classes of the rising generation, whom Dr. Milne wished to elevate by means of his endowment, would do well to keep these

facts in remembrance, and thus be encouraged to overcome obstacles that would otherwise be considered insurmountable.

Dr. Milne's academical career was confined to the two sessions, 1789-90 and 1790-91; and it does not appear how he occupied his time after the close of the latter, in March, 1791, but he must have immediately applied himself in some shape or other to the study of medicine, as in the spring of the following year, 1792, he was appointed Surgeon of one of the Greenland whale fishing vessels, at the ripe age of seventeen. This was a situation which did not require much professional qualification, being generally filled by doctors' or apothecaries' apprentices, who were, of course, not treated with much respect by the ship captains, and if report speaks truly, were often made to do the work of cooks, in the absence of more appropriate employment.

After his return from Greenland, probably in September, 1792, a hiatus of more than twelve months occurs in Dr. Milne's history. Whether he went again to Greenland in the

year 1793 is not known; but he includes this year as part of his seafaring life in his letter of 15th June, 1838, wherein he states—"I had to encounter the risks of a seaman for nearly eight years of my life," which embraces the whole period from the spring of 1792, when his maiden voyage commenced, to the beginning of 1800, the probable time of his arrival at Bussorah on the Indian Establishment.

Towards the end of the year 1793, Dr. Milne was appointed Surgeon's mate of the East India Company's ship, "Carnatic," a vessel of 1209 tons, bound for Madras and China, through the interest of Mr. Fordyce's maternal grandfather, Mr. Ritchie of Techmuiry, one of the Bailies of Aberdeen, or at least through influence set agoing by that gentleman. What his qualifications were for this appointment are not known. At that time, and during the greater part of the wars with Republican and Imperial France, there was a great demand for Surgeons for the Army, Navy, and East India Company's Services, so that the qualifications of candidates were not very strictly enquired into; a short ap-

prenticeship to a Medical Practitioner, whose instructions were often little more than nominal, being generally sufficient, along with a smattering of professional knowledge, for enabling a candidate to pass at the Board of one or other of these Establishments. The consequence was the introduction into the public service of a set of Medical Practitioners whose deficiencies are exposed by Dr. Milne with no sparing hand. Dr. Milne's professional studies could not have been very profound or long protracted, as at the time of this appointment he was only eighteen and a-half years of age. His progress now can be traced nearly day by day for a period of more than five years, from the pages of a work which he published in the year 1803, entitled "Some account of the diseases that prevailed in two voyages to the East Indies, in the 'Carnatic,' East Indiaman, during the years 1793, 1794, 1795, 1796, 1797, and 1798, together with observations and medical remarks, in a series of letters to John Hunter, M.D., F.R.S., by John Milne, formerly Surgeon of the 'Carnatic,' now Surgeon on the

Bombay Establishment." In the title page there is also the motto "Nothing extenuate, nor set down aught in malice;" and in a short advertisement, dated March 14, 1803,—by whom written does not appear,—there is, *inter alia*, the following passage:—"Some apology may, perhaps, be deemed necessary for the freedom with which he has exposed the errors of others; to such as shall think this requisite, no better excuse can be offered than that he has everywhere animadverted upon the mistakes committed by himself, with even less reserve than upon the errors of others." On receiving his appointment, Dr. Milne lost no time in entering on his duties, his narrative commencing with—"Towards the end of the year 1793, upon my first becoming a candidate for a place of public trust, I was appointed Surgeon's Mate of the honourable Company's ship 'Carnatic.' The contracted state of my finances obliged me almost immediately after my examination to join the ship, which lay at that time opposite to Gravesend." The deliberate manner in which vessels crawled along at that time may

be seen from the following summary of dates. The "Carnatic" began her outward voyage by sailing from Gravesend in the middle of December, 1793, for Portsmouth; sailed from thence in the beginning of May, 1794; passed the Cape in the depth of winter; arrived at Madras on 13th September; and in the end of December arrived in China, where the Surgeon died; began the homeward voyage in the beginning of April, 1795, and after touching at Malacca, St. Helena, and the river Shannon, arrived in the Thames in the end of December, 1795, after a voyage of upwards of two years. About the latter end of April, 1796, Dr. Milne was appointed full Surgeon of the same vessel, destined for China direct, and sailed with her from Gravesend on 8th July. After making short stops at Portsmouth, St Helena, and Amboyna, the vessel was safely moored at Whampoa on 18th March, 1797, after a passage of seven months and eight days from England. At this place Dr. Milne's assistant died, but he was fortunate enough to secure the services of another who had belonged to a vessel that was

wrecked. The "Carnatic" got under weigh on her return home on 25th April, 1797, and after making the usual stops, arrived in the Thames on 5th February, 1798, after a voyage of nineteen months. Thus the two voyages (if we include the time required in preparing for the first), occupied a period of nearly five years and a-half. The risk of capture by French privateers at that period, which made it necessary for the large Indiamen to go heavily armed, and generally in fleets, had, no doubt, the effect of making the voyages longer than they would otherwise have been. But after making every allowance, the contrast between the slow progress of those days, and the rapidity in which our Aberdeen clippers fly over the same ground in the present, shews the great advance which has taken place in shipbuilding and in nautical skill and enterprise. The horrid narrative of disease and suffering during these voyages from scurvy, and other diseases among a debauched and enervated crew, is quite sickening, and those who feel an interest in such matters are referred to the work itself, two

copies of which are in the library of the Medico-Chirurgical Society in Aberdeen. Although the language of these letters is rather strong, they display considerable ability, and shew an earnest desire to secure a better class of Medical Officers, and to promote the health and comfort of a valuable class of men, by means of various improvements which he suggests.

The situation of Surgeon on board an Indiaman at that time was a very lucrative one, the Surgeon having, besides his pay, a certain amount of tonnage in the vessel, which he could either dispose of to a merchant at a high price, the freight being then very high in consequence of the monopoly enjoyed by the Company, or he could purchase goods himself in London for sale in India or China, and bring others home from thence, all free of freight, and thus enjoy such profit on the goods as the state of the markets would allow. This system is loudly condemned by Dr. Milne in the printed letters before referred to, as leading these mercantile Doctors to pay more attention to their

invoices, and the sale of their goods, than to their prescriptions and the cure of their patients. In whatever way Dr. Milne availed himself of his tonnage, he appears to have made some money while in this situation, but it was attended with certain disadvantages compared with a permanent situation in India.

Dr. Milne accordingly quitted the Naval Service, and was appointed Surgeon to the Company on their Bombay Establishment. This appears to have been in the year 1798, soon after his return from the second voyage, as in that year he made a Will in favour of a Mr. George Johnstone, weaver in Gilcomston (whose wife was a maternal aunt of Dr. Milne,) while residing with his son, also named George Johnstone, at his residence in Hampstead, previous, it is believed, to setting sail for a protracted residence in India. In this Will, which is dated Hampstead, 29th May, 1798, Dr. Milne describes himself as a Surgeon in the Honourable East India Company's service, and gives all his property, real and personal, to the second named George Johnstone, to be disposed

of thus, viz. :—To his father, John Milne, of Exchequer Row, Aberdeen, for life, and thereafter to the said George Johnstone, weaver in Gilcomston. In his voyage out to India at this time Dr. Milne was the shipmate of Mr. Michie Forbes, brother of the first Sir Charles Forbes; and on his arrival there, he was in the first place stationed at Bussorah.

Dr. Milne was not long resident at Bussorah till he laid the first foundation of the Medical Bursary (or Burse, as he generally termed it), established by him at King's College, by a grant of £100, afterwards increased to £600. This was the first, and is still the only, Medical Bursary at Aberdeen. In the Minutes of the Senatus, of date 7th November, 1800, there is the following entry:—"Said day the Principal produced to the meeting a letter from Mr. John Milne, Surgeon at Bussorah, intimating his intention of bestowing £100, the interest of which is to be given to a student of this College who, after taking his degree in Arts, shall study Medicine; for which the Principal was desired to write him a letter of thanks in name of the

Senatus. But as the manner of disposing of it is mentioned in rather general terms, they recommended it to Mr. Scott, through whom Mr. Milne communicated his design, to obtain from him more positive directions respecting its destination." To the sum originally intended, £500 were added; but at what precise date the money was paid over, or how it was originally invested, does not appear; the College Minutes are silent on the subject; but most probably it was previous to the year 1803, as, on the 25th of April of that year, the degree of M.D. was conferred upon him, as appears from the following entry in the Minute Book. "Said day the University conferred the Degree of Doctor of Medicine on John Milne, M.A., Surgeon to the Factory at Bussorah, and an Alumnus of this College." The letters M.A. are interlined, and are probably a mistake; at all events there is no other evidence of his having ever obtained that Degree. This foundation will be more particularly referred to hereafter.

Dr. Milne did not remain long in the Persian Gulf after the above honour was conferred

upon him, having been removed to Bombay in the end of 1803, or beginning of 1804, as appears from two letters from him to his Cousin, Mr. George Johnstone, before referred to. In the first of these, dated Bushire, 9th November, 1803, he says :—"I have the pleasure to inform you that I am now only the third from promotion, and that in consequence of the deficiency of medical men in India, and my rise upon the list, I have received orders to proceed to Bombay. Such is now the condition of this country, that my removal really affords me satisfaction." The second of these letters, dated Bombay, the 6th April, 1804, commences thus : —"My dear Cousin, I wrote you a short note about a fortnight ago, announcing my arrival in a civilised land. You will now observe by my Father's letter, that I am soon in hopes of moving hence to Surat, where it is probable I shall remain for some months."

Nothing farther of Dr. Milne's history is known, till the year 1808, when he revisited his native place, and appears to have been admitted into the best society. The friends who were

chiefly intimate with him, and trusted by him, at this time, were William Dingwall Fordyce, Esq., of Techmuiry (the Father of Mr. Arthur Dingwall Fordyce), who was his financial Agent, and Robert Eden Scott, one of the Professors in King's College, the author of a well known work on Moral Philosophy, to whom, while he lived, he entrusted the patronage of his Medical Bursary.

At this time, the usual course of medical study at Aberdeen was for the student to serve an apprenticeship of three years to any practising medical man in the town or country, having a degree of M.D. or of Surgeon, and to pay him an apprentice fee of fifteen guineas, for which the latter was expected to direct the course of the pupil's studies, and occasionally to give information or advice; to attend one year or more at the Infirmary; and to unite with his fellow-students in stealing dead bodies from the churchyards around, sometimes at a considerable distance, and to cut them up with whatever skill they possessed. Of lectures, or other public means of instruction, mural or extra-

mural, there were none, the only Medical Chair which existed being then, and for long afterwards, a sinecure, except that the Incumbent was expected to attend the University Students when unwell, a duty which was generally discharged by deputy. Hence the first and heaviest part of the expense was the payment of the apprentice fee, which had probably been a very formidable barrier in Dr. Milne's own path; and the removal of it, in the case of other young men of limited means, was the principal object of Dr. Milne in this foundation. The precise terms of the original endowment are not known, beyond what is mentioned in the Senatus's Minute of 7th November, 1800, already quoted (page 15), and in the following reference to them in Dr. Milne's letter of 20th April, 1839,—"When the Medical Burse was established, each of the three Professors of the upper classes brought their respective classes forward in rotation, through the second, third, and fourth years. That Burse was then confined to Professor Scott's class, and every fourth year he selected a student on whom the Burse was

conferred. That plan, however, was changed, and the three upper class Professors became fixtures. On this change the benefits of the Medical Burse was extended, and it was rendered an Annual Grant, by a donation of £500 to the sum of £100, the original gift, which, at the then interest of five per cent., yielded £30 yearly. This was also necessary, because the apprentice fee was increased from fifteen to twenty-five guineas, and the donation to the Infirmary from one to three guineas, so that a total of £29 10s. was annually disbursed, leaving a small balance, which, it was proposed, should be paid to the student." Matters were in this state at the time of Dr. Milne's visit, but no permanent arrangement had been made for the patronage of the Bursary, or for the selection of a Medical Teacher, or for the investment of the funds. An opportunity for this latter object occurred in the end of 1808, when the College were borrowing money to assist them in paying the price of a piece of land which they had bought, and the whole three objects were accomplished as follows:—In the

Minute of Senatus of 31st December, 1808, there is entered—"Said day it was intimated to the meeting that at this term the Procurator had received from Mr. Scott six hundred pounds sterling, being the money mortified by Dr. John Milne of Bombay, for annually defraying the expenses of an apprentice to medicine, to be named by Mr. Scott out of his class. The meeting directed that the Procurator should hereafter pay to Mr. Scott and his successors in office, the annual rent of this sum at four and a-half per cent., at the term of Martinmas, for said purpose, agreeably to Dr. Milne's intentions."

The regulations which Dr. Milne laid down for the patronage of this Bursary are as follows: —"To the Principal and Professors of the University and King's College of Aberdeen.— Gentlemen,—On the occasion of my having been permitted to evince those sentiments of gratitude with which I have ever been impressed towards your seminary, for the benefits which at an early period of my life I derived therefrom, and which I consider to have in a

great measure determined my successful progress hitherto and present prospects, I had the agreeable satisfaction of experiencing your entire approbation of my conduct, and at the same time was honoured by your conferring on me a signal mark of the estimation in which you held my endeavours. (2.) The wishes which I then took the liberty of expressing to you, were without hesitation complied with, and steps were immediately taken for carrying them into effect. It now gives me pleasure to learn that my intentions, under your auspices, have been so fully answered, and that the measure is likely to prove useful to many. (3.) The obliging attention which you were pleased to pay to my former requests, encourages me to hope that my wishes in this instance will be readily acceded to. Under a perfect conviction that Professor Scott would continue to exercise the discretionary power with which I had requested you would invest him, in the most advisable manner towards the attainment of the object which I had introduced to his notice, and as a mark of my high respect and esteem

for his character, I begged that he might, during his lifetime, have the sole conduct of administering to such young men as he might select the benefit of this institution. (4.) As my situation in the public service exposes me frequently both to risk and danger, I am, prior to leaving Aberdeen, desirous of forming such arrangements as may render the operation of this Institution permanent under your direction. (5.) During Professor Scott's lifetime, and while he continues a member of your body, I am desirous that the sole administering power shall be vested in him, fully confident that he will only bestow this tribute on those whose merits and situation in life best entitle them to a preference. Should Professor Scott by any circumstances be removed from your University, I could wish that the Professors of the four regular classes for the time being, should be requested to adjudge this reward of merit and of industry where need may best direct; and in case of any non-concurrence in opinion amongst them, with respect to the claims of two or more candidates, that the point be referred to

the Principal for his decision thereon. (6.) On the subject of the choice of a Medical Teacher, I will take the liberty of addressing you to-morrow. I beg on this occasion to add with the greatest respect, gentlemen, your most faithful and obliged servant, JOHN MILNE, M.D. Aberdeen, 20th September, 1809."

As intimated in the above letter, Dr. Milne wrote on the following day as follows:—"Gentlemen—I had the pleasure of addressing you yesterday, relative to the presentation which you have honoured me by placing under your patronage, in order to explain to you my wishes on the subject of conferring its benefits, in case of the removal or demise of my friend, Professor Scott. (2.) I now beg to be allowed to convey to you my sentiments relative to the selection of a Medical Teacher for those young gentlemen who may be deemed the most fit objects of having bestowed on them this reward of assiduity and of talent. (3.) The handsome manner in which your present Professor, Sir Alexander Bannerman, Bart., has been pleased to confer your academical honours on me, is peculiarly

gratifying to my feelings; and in order to record the sense of high respect which I entertain for his character, and for this manifestation of liberality, I have to make the request of you, that he and his successors in office be invested with the power of making choice of a Medical Instructor, on the resignation of business by Dr. Livingstone, and by Dr. French, who, I have already intimated to you, I was anxious should have the offer of this duty on the former gentleman's retiring from the practice of his profession. I only beg to suggest that the selection be confined to one of the physicians of the Infirmary, partly in reward of their arduous duties, and in order that the young men may, from that connection, have greater opportunities of extensive employment in the practice of their profession. (4.) I have the satisfaction to add, with the greatest respect and deference," &c.—Aberdeen, 21st September, 1809.

The receipt of these letters was acknowledged by Professor Scott in the following terms:—"My dear Sir—I had the pleasure of yours, enclosing the letters to my colleagues

respecting the Medical Bursary, of which I highly approve (unless it be the flattering terms in which you speak of me); and shall present the first opportunity. I forgot to mention when I last saw you, that there will be (after the ensuing payment) an overplus of between one and two pounds every year, when all dues are discharged, and should be glad to know your sentiments respecting its application. I take this opportunity of presenting you with the accompanying performance of mine, as a trifling mark of esteem; and at the same time send the valuable medical work with which you presented me, to have the pleasure of its being inscribed by your own hand as a gift to, dear Sir, ever sincerely yours, ROBERT E. SCOTT."—K. College, Monday.

In consequence of this letter, Dr. Milne wrote to the Principal and Professors as follows:—"Gentlemen—I have taken the liberty of addressing you in this instance, in consequence of having had it intimated to me by my friend, Professor Scott, that there will be an annual overplus of between one and two pounds, after all

dues are discharged, arising from the Interest of the presentation which you have allowed me to place under your direction, and have to beg that this sum may be appropriated towards the purchase of a case of surgical instruments for those young gentlemen who may be selected as the most fit objects to benefit by this Institution. (2.) In the hope that this request will obtain your sanction, I have the pleasure, &c.—Aberdeen, the 27th September, 1809."

Dr. Milne's letters were accordingly laid before a College meeting by Mr. Scott, on 16th December, 1809, and a formal acknowledgment thereof was sent to him by Principal Macleod.

Professor Scott did not live long to enjoy the patronage of this Bursary, having died at a comparatively early age, and much lamented, in the beginning of the year 1811. Soon afterwards, 18th March, 1811, Dr. Milne wrote a letter to the Professors, in which he alludes to an intention he had formed of requesting them to invest Mr. Scott's successor in the Professorship "with the patronage of what he has termed the Medical Burse," in testimony of his

high sense of Professor Scott's distinguished abilities, learning, and virtue; but that he had abstained from doing so, in deference to the opinion of some of the Professors to whom he had mentioned his intention, and he, therefore, left the patronage in the hands of the four regents, as previously arranged.

In the month of October thereafter, Dr. Milne sent the following other letter to the Principal and Professors:—"Gentlemen,—In reference to a point which has been brought to my notice, and on which you may have occasion to decide, respecting the disposal of the Bursary which you have permitted me the honour of placing under your direction,—in case it should happen during a session that no young gentleman has the inclination of prosecuting the study of medicine, I beg to suggest to you that it may be allowed to remain as a provision for the following year, under a persuasion from the now extended nature of the public service, and the variety of advantageous situations which it presents to the medical student, that young men will always be found

desirous of profiting by this preparatory aid. But lest it should happen, that the aspect of public affairs should experience a change, and this Bursary remain unappropriated for more than two years, I submit to your judgment the propriety of your requesting your Professor of Medicine to cause a medical theme to be proposed to the members of the Medical Society of Aberdeen, and that the annual amount of the Bursary be conferred on the candidate whose performance may be approved of by your Professor of Medicine, and their Honorary President. I have the pleasure to remain, &c., JNO. MILNE, M.D." In thus supposing the possibility of there not being one Medical Student during a session, and even for several successive sessions, at Aberdeen, Dr. Milne had evidently formed no conception of what the Medical School in this city would arrive at in the present day, being now one of the most flourishing and distinguished in the kingdom.

The mode of education of medical students has been very much changed since the above

period, and Dr. Milne's letters to Mr. Fordyce abound with suggestions for corresponding changes in the administration of his Bursary. In the year 1838, the author drew up a set of Regulations for it, founded on Dr. Milne's letters, and sent a copy thereof to Mr. Tulloch, then Common Procurator for the College, who thereafter called and said that the Senatus had no objection to it, but that he would write to Dr. Milne himself on the subject. After some delay, Mr. Tulloch wrote to Dr. Milne in terms which the latter said were satisfactory; and the Doctor, on 30th December, 1840, wrote to Mr. Fordyce, enclosing a letter to Mr. Tulloch, the terms of which are not known, farther than that they were regarding the disposal of the Medical Bursary. It would be tedious to enter into all the details of the correspondence, particularly as they do not appear to tally with the mode of administration now adopted;—the principal conclusion to be drawn from them being, that Dr. Milne was ever ready to adapt the conditions of his Bursary to the various changes in the system of medical education.

The following passage in the Reports of the University Commissioners may, however, be quoted:—"On 8th February, 1825, Dr. Milne wrote another letter approving of the Bursary being conferred on a student named out of the third or second class of the College, instead of the fourth, as was formerly required." The rules, however, under which the Bursary is now administered have been laid down by the Medical Faculty of Aberdeen, and are thus entered in their Minute of 3rd April, 1866:—"The Medical Faculty having had under their consideration the subject of the Milne Bursary, came to the opinion, that in future the whole proceeds of the Bursary should be applied for behoof of the Bursar, and agreed individually to take the Bursar as apprentice on that footing, and recommended the Professor of Medicine, as patron, to apprentice the Bursar to such only of their members as would agree to do so; whereupon the Professor of Medicine expressed his concurrence in the arrangement. The Faculty then agreed to the following rules as to the mode of carrying out the above resolution:—

"1. That the apprentice fee shall be the sum remaining after paying for the Deed of Apprenticeship, and for the Infirmary ticket.

"2. That the apprentice fee, legally the property of the medical instructor of the Bursar, shall be paid over by him to the Medical Students' Bursary Fund.

"3. That during each of the four *Anni Medici,* required to complete the Bursar's studies for graduation at this University, there shall be presented to him one-fourth part of the sum paid over to the fund, on the order of the Medical Faculty, if the Faculty is satisfied with the conduct and progress of the Bursar.

"4. In the event of the Medical Faculty not being satisfied with the conduct and progress of the Bursar, the remaining portion of the aforesaid money may be voted by the Faculty, either to be given to any student of medicine who requires and deserves assistance, or be added to the Medical Students' Bursary Fund, as may seem best to the Faculty."

In the above arrangement there is evidently an attempt to comply with the literal terms of

Dr. Milne's Foundation, by keeping up the form of an apprenticeship—a mode of medical education which is now obsolete—and at the same time to act up to its spirit by applying the money for the benefit of the students themselves, instead of that of two or three privileged members of the Faculty, as was virtually the case for several years prior to that time. The new arrangement is therefore highly creditable to the members of the Medical Faculty; but at the same time, from the trust which Dr. Milne conferred on the Senatus, a suggestion may be hazarded, that the rules ought to have been enacted by them, with consent of the Medical Faculty, or at least to have been in some way sanctioned by them.

The pecuniary position of this Bursary is as follows:—Owing to judicious management on the part of the Professors, the capital of the fund has increased to £795 18*s.* 8$\frac{8}{12}$*d.*, which forms part of a joint investment, along with the funds of other mortifications under the administration of the Senatus, and the clear revenue divided proportionally among the different Mor-

tifications, the proportion for Dr. Milne's Foundation being £28 3*s.* 10*d.* One Bursar is appointed every year; and although he has, agreeably to the above arrangement, to go through the form of an apprenticeship to one of the medical gentlemen in Aberdeen, the whole of the money is paid to the Bursar himself, the sum of £28, less ten shillings as the expense of the indenture, being paid to him in yearly instalments during his apprenticeship. The balance of 3*s.* 10*d,* or thereby, is carried to the common Bursary fund.

It was during the above-mentioned visit to his native place, that Dr. Milne got his portrait painted by Mr. John Moir, the brother of Dr. James Moir, who was long one of the principal physicians in Aberdeen. It is a very creditable work of art, and gives a faithful resemblance of Dr. Milne in the prime of life, being then about thirty-five years of age. A photograph of it is prefixed to this Memoir. It was left with his friend, Mr. William Dingwall Fordyce, and remained with him, and thereafter with his son, Mr. Arthur Dingwall Fordyce, till the death of

the latter, when it went into the possession of his widow and executrix. Regarding this portrait, there are no directions in the last Will of Dr. Milne; but in a paper of instructions accompanying a copy of a Will made by him in the year 1811, he desired that it should be delivered, after the death of his Father, to King's College. On the supposition that this direction was still operative, Mrs. Fordyce's agent in Edinburgh, Mr. Andrew Dun, W.S., wrote to Principal Jack, on 5th June, 1845, offering to send it to the College free of expense; but Dr. Milne's Educational Trustees, on being made aware of that intention, claimed it as belonging to them in their capacity of Residuary Legatees. Some communications then took place between the Trustees and the College, when, by common consent, the portrait was placed in the hands of the author, as a neutral person. The Trustees, by their minute of 24th June, 1845, offered to refer the point of ownership to arbitration; but it has never been decided, and it would be well that it now were so. At all events, as the Trustees

have no place of their own in which to keep the portrait, it seems desirable that it should be placed in the College Hall.

Dr. Milne returned to India, where he remained till his death, on 2nd July, 1841, at which time he was sixty-six years of age. He was very attentive to his poor relations, to several of whom he made annual allowances, besides maintaining his Father and his Stepmother (his Mother having, as already mentioned, died when he was young); all these expenses being paid through his friend, Mr. William Dingwall Fordyce, till the death of the latter, in 1831; and, thereafter, by his son, Mr. Arthur Dingwall Fordyce, already mentioned.

Of Dr. Milne's career in his profession, while in active service in India, no information has been obtained, farther than that he attained to the highest rank in it at Bombay, viz., that of President of the Medical Board, an honour, however, which is obtained by seniority, and which, after filling for the prescribed period of time, he had to vacate in favour of the one next in order. He, however, continued to reside in Bombay till his death.

In regard to Dr. Milne's personal habits,—the following extracts from his letters may suffice to give a pretty good idea of them. "2nd April, 1833. I allow no idle time to remain on my hands, being employed from the moment I move in the morning at grey daylight, until I go to sleep about eleven o'clock. These habits of active employment preserve in unimpaired energy my disposition to active mental effort, and you know the mind has a powerful influence on our bodily powers, and under God's directing guidance my health continues excellent." "16th March, 1835. My own health was never better, which I ascribe to temperance and active habits. Our friend, Dr Strachan, will tell you that I move pretty early in the morning, and that wine has no charms for me." "30th September, 1837. My own health is good, as you may imagine, working as I do for eighteen hours out of the twenty-four. My diet is light and plain. I drink very little wine. Sleep not more than six hours—sometimes only five. Mind always at work." "13th December, 1838. In regard to my own health I might be thank-

ful to Providence, who has given me the energy I still possess, enabling me to work hard at all hours." "22nd February, 1839. I sit up half the night and never go to bed; when I am tired, and sleep comes over my labours, my chair is the place of rest,—an hour or two is enough, when I recommence my work. I eat not the bread of idleness; in the grave we shall be still and quiet. I am anxious to employ every hour while mind and body have activity and vigour. In regard to my own health, I am active and stout, which is the reward of temperance and regularity." "22nd March, 1839. I sleep in my chair, and never go to bed, so that my mind has free and ready play, and I never encumber it with an idea, which I at once commit to paper; so that my thoughts are again at work, or devoted to another object. This establishes free and unfettered habits of thinking, and I range over every subject and every passing occurrence. Mr. ——— was somewhat astonished to peruse in the *Bombay Gazette* the daily articles from my pen, which he pretty well knew

from the style and signature to be mine." "16th September, 1839. With care and regularity I see no objection to this climate, which I first visited in 1794, having made a voyage to Greenland about two and a half years before." "2nd January, 1840. My own stamina are unimpaired,—the effect of regularity and active habits, although, as I told you, I never go to bed, nor ever lie down. What rest I take is in my chair." In the same active habits he continued till the time of his death, still busied about things in general, and laying plans for the future as if he had had a long life before him. One circumstance of a characteristic nature during the above period has been mentioned to the author, viz., that when Dr. Milne was Superintending Surgeon, and was attached to a camp on the south-west side of the Bombay Presidency, he lived in a native village about seven miles from the camp, and lived after the manner of the natives, having no other garment than a piece of cloth about his loins; and that when he visited the camp he rode in this fashion till within a mile or so of it, when he donned his uniform.

Dr. Milne was a man of much public spirit from an early age, and this continued to form a distinguished characteristic of him through life. Thus, the first foundation of his Medical Bursary took place in the year 1800, when he was only twenty-five years of age; and the Letters on his Indian Voyages are evidently dictated by a sincere desire for the public good. He exerted himself most energetically to benefit his adopted country, and to influence public opinion in a variety of ways. His interest in that country was first manifested in the year 1809, when the power of the first Bonaparte was at its height, and attempts were being made to influence the Princes of Asia against the British rule in India, by preparing an elaborate paper, dated Aberdeen, 20th November, 1809, for the information of the British Government, entitled "General Suggestions tending to establish the influence and power of British India throughout the centre and west of Asia." The paper commences thus:—"It may be inferred that the British Government, when it issued the declaration of which the following

is an extract, was deeply impressed with the necessity which the nature of the times had imposed on them, of calling forth the resources of the Empire, in order to oppose the rapid and successful progress of France, which not only aimed at the total overthrow of Britain and of her possessions, but seemed to grasp at universal sovereignty. "For," say the British Ministry (Declaration 25th September, 1807), "it is time that the effects of that dread which France has inspired into the nations of the world, should be counteracted by an exertion of the power of Great Britain, called for by the exigency of the crisis and proportioned to the magnitude of the danger." The writer then points out how the supposed designs of France and Russia in the East could best be met, and the power of Britain extended; his views, principally, being to acquire an influence in Persia and Arabia, and the paper concludes as follows:—"While the British Government models Persia and Arabia, so as to present inaccessible obstacles to their advance on the side of Asia, they are enabled by a politic union of the Chris-

tian kingdom of Abyssinia with the territory of Nubia, to oppose another front on the side of Africa, thus also preserving within due bounds of dependence, on their only unguarded flank, our Allies of the Arabian Peninsula, was there ever any reason to suspect their fidelity or to doubt their attachment, for it is the rule and aim of sound policy, by vigilance and circumspection to provide against evils before they have become imminent and formidable, and to check the encroachment of ambition, while it is yet practicable, by measures of timely and preventive security,—it being generally observed of all the nations of antiquity, and of those of modern times, that they appear to have been ruined by their own blind improvidence or imbecility."

An improvement of the currency of India, and a regulation of the exchanges, also occupied a considerable part of his attention; objects which he conceived could best be effected by introducing the same monies as in Britain, with a National Bank and paper currency, &c. He was equally at home in the subject of National

Finance; and he endeavoured to impress on the Indian authorities his views on that subject, and on fixing on a proper site for the seat of Government. In short, the range of his objects was Cosmopolitan, and he entered into the most abstruse and difficult problems in finance, taxation, &c., with all the confidence that usually characterises the writers on these mysterious and interminable subjects. It is foreign to the purpose of this Memoir to enter into the details of these labours, many of which apply to, or were called forth by, temporary circumstances; but his views as to the great advantage to be obtained from a high rate of taxation, with an accompanying liberal expenditure, are so peculiar that they may here be given. Thus, in a communication to Lord William Bentinck, the Governor General, of date 18th June, 1834, he writes,—"However small or large the public issues of any country may be, it is obvious, even if a penny only is circulated, and that penny merely goes to the purchase by a father of his schoolboy's top, its circulation will promote the industry of the carpenter or wheel-

wright who made the top—he in turn affects the timber merchant, or it may be the shopkeeper—the latter may go to the manufacturer with his portion—he again to the cotton or woolseller, all obtaining their share of profit, and this profit, ultimately tending to affect the grower of food, who in his turn cheers his landlord, so that with this portion of encouragement given to all those, they are enabled to give each their proportion to the taxgatherer, who sends it to the public treasury. This portion, therefore, of the general circulation has performed its part —it has, perhaps, influenced twenty people, and these twenty people have each, proportionally, given to the Government the share demanded by the state. This public share, a part of the profits which in circulation have arisen from the use of this penny, forms the services of the gradual increase of the public revenue, arising from a gradually increased expenditure, while the active and industrious part of the population have thus had their labours rewarded; but to render reward and employment permanent, the sum which may have reached the public

treasury must pass on, for every day it rests there is so much lost to the general industry and efficiency. If, however, the sum put in circulation, instead of being a penny, had amounted to one hundred millions a year, as was the expenditure of the British Government at one period during the late war among twenty millions of people, and those connected with them, it is perfectly clear that such a mass of encouragement must have, more or less, animated and improved the industry and condition of every one belonging to the Empire, or connected with it. This large amount of circulating medium, and the profits arising from its employment, account for that rapid progress in wealth which has enabled Britain to increase her own revenue, and beneficially to influence not only all within her own territory, but multitudes also of those inhabiting the most remote corners of the earth, which, in their turn, have again contributed to promote the convenience, industry, wealth, and greatness of the British Empire. But curtail what has once stimulated and encouraged even a part of the Empire,

much less the whole world, imparting reciprocal advantages to all employed, and that in proportion to the extent of the circulation established amongst them; then, and in the same ratio of curtail, will the whole busy scene begin to dwindle: and this picture pretty clearly represents the present reduced condition of the British Empire, both in the West and East, of which you see in Calcutta a lamentable example,—the effect, in no small degree, of Indian reduction of expenditure, but mainly occasioned by that, to a much greater extent, of Britain; while England presents a multitude of able and accomplished men, and of the most skilful artists, who can find no means of employment or of subsistence; and numbers of those who had contributed to support the departments of the State at the most eventful periods are thrown back in want on an already distressed, helpless, and misled community—thus practically, though miserably, illustrating the evil effects of the converse of the principles explained and set forth in the accompanying representation." Here follows a formal docu-

ment, explaining more fully the principles above enunciated. The same idea pervades a letter which he had written a year previously to Mr. Arthur Dingwall Fordyce, together with a consciousness that no one understood the subject but himself. "4th June, 1833.—Failure on failure have occurred at Calcutta to the enormous amount of twelve millions sterling; and how many must be reduced to misery by this dreadful state of things. (2). It is, however, the result of the course pursued by your wise economists, whose wisdom has been rigidly followed by the gentlemen of Leadenhall Street." Then, after alluding to the proper panacea which ought to be applied, he adds—"But there is one thing which will prove a stumbling block, as no one seems to understand the subject—I mean the financial concerns of the country." It would appear, however, that he did get Lord W. Bentinck to understand and to act on his views, as in his letter to Mr. Fordyce, of date 4th March, 1838, he says, after alluding to his proposal of fixing the supreme seat of Govern-

ment at Aurungabad,—"An idea which Lord W. Bentinck immediately embraced, as he has done the financial proposition for extending our Indian funds, which was submitted to him, and at once made him a convert to a widely different system of financial policy from what he entertained."

In another communication which he sent to the Governor-General, of date 23rd September, 1834, on a subject referred to in the latter quotation, and which is still engrossing a good deal of attention, viz., the proper place for the seat of the supreme government, the following passage may be quoted (being the ninth and concluding paragraph of his communication on this subject), "The Supreme Head of the Indian Government, therefore, in fixing his station at Aurungabad, has Bombay and England at his back,—Madras on his right, with Hyderabad and Mysore intervening,—Hindostan on his left, with Indore, Gwalior, and Delhi in his route,—and Calcutta before him, with Nagpore in his way. He is supported by a battalion of European Artillery, and one of Golendanze, with

native regiment at Ahmednuggur; and by a brigade of Horse Artillery, a regiment of Dragoons, two regiments of European Foot, and two of native Infantry at Poonah; and further, he is placed in one of the most healthy and bracing climates in India, and in one of its most productive countries; and his presence, and the convenience which an efficient Government will require, and which he will find it necessary, and no doubt see the policy, of establishing, will render the Deccan one of the finest countries in the world, and the people the most prosperous; because every branch of industry will be promoted, and every man find employment in giving effect to the present important proposal, which is so well calculated to establish, efficiently and centrically, the directing and controlling powers of the head of this great empire, which requires such a measure to develop fully its resources, and to give free scope to the energies of its people." Here again it is not impossible that the Governor-General may come to be of his opinion.

Another subject which engaged very much

of Dr. Milne's attention during the latter years of his life, was the interest which he took in the affairs of the Rajah of Sattara, and in which, it is to be feared, he allowed his warmth of heart to outstep his better judgment. The affairs of that Prince formed an important episode in the history of British rule in India, and occupied a great deal of public attention at the time. Into the merits or demerits of the question it is not intended to enter,—suffice it to say that Dr. Milne believed him to be an innocent and high-minded Prince, persecuted most unjustly by the Government of India; and he accordingly entered into the vindication of the Prince, and the condemnation of his enemies, with characteristic vigour. His first letter to Mr. Fordyce on the subject is dated 4th January, 1838, in which he says, "I have lately engaged in rather a bold undertaking, in defending the Rajah of Sattara against the acts of this Government, and I am in hope I will succeed, as overtures, in a sly way, have been made to him of accommodating matters, after a pretty exposure which I have made in a

series of letters addressed to the Governor General, and sent through this Government, who, consequently, have no regard for me; but I have been resolute in supporting the cause of an oppressed Prince; and I hope I have commanded the respect, although I may not have the affection, of those who meditated a blow which I trust has been warded off. As I have been perfectly disinterested, I have spared no one. The poor Rajah is naturally very grateful for the efforts I have made on his behalf. He was the nominal head of the Mahratta Empire, and now possesses the smallest principality of Sattara." On 4th March, 1838, he wrote "I saw a poor man in distress, I saw him unjustly assailed. I did not hesitate, and, as far as I can understand, I have succeeded in impressing the Supreme Government, to whom my letters were addressed, with the highly improper proceedings of the authorities here, who are, of course, enraged against me. This, however, I have braved; and as the case is now referred to England, I trust the Rajah's friends there will see that justice is done him. I have spared no

pains. This labour has obliged me to curtail a good deal of my own private correspondence; as my public letters, and their many accompaniments, which were all translations from the Mahratta, required great attention in the examination of them, my time has been very closely occupied." In several subsequent letters, particularly those of 15th June and 13th December, 1838, he speaks very hopefully of his exertions in the Rajah's favour being successful. But on 13th March, 1840, after quoting a letter which he had written to a person high in authority, and which he thought would establish the innocence of the Rajah and his officers, he adds in the bitterness of his soul, "Here a very great mistake was made, in supposing that I was addressing a man of honour and sense, for the sequel proved that he was neither. He shut his eyes and his ears to the most obvious truths, seized every pretext for injuring his Highness, and because he refused to put his signature to a falsehood, and to destroy the character of his principal officers, he was deposed. Here you see a Prince, who, had he

acted the villain, was offered his kingdom; but because he protests and asserts his innocence, demanding full enquiry, he is sent a prisoner to Benares." He then mentions that the case is before the Court of Directors, and the Board of Control, and that Sir Charles Forbes had taken up the Rajah's cause. His next letter, 29th April, 1840, is wholly about His Highness (now ex-Royal), and mentions that the India Board had decided against him; but to the last, Dr. Milne did not cease to maintain his innocence, his very latest letter to Mr. Fordyce, 20th April, 1841, containing the following passage:—"There is an admirable letter which has been recently addressed to the Court of India Directors and Board of Control, shewing that they are condemned by their own correspondence, and exhibiting such a nefarious course of proceeding as cannot fail to bring disgrace on all the actors against the ex-Rajah of Sattara. Great merit is due to Sir Charles Forbes for the great efforts he has made on behalf of that spirited and noble-minded Prince." This encomium was passed in blissful ignorance of what His High-

ness was in a very short time to do, when asked to repay to Dr. Milne's executors the monies which the Doctor had advanced to him, as will be seen in the sequel.

Nor did home politics escape Dr. Milne's all-pervading gaze. In scanning the probable effects of the Reform Act of 1832, he wrote as follows:—3rd July, 1833.—"You have by this time had an opportunity of ascertaining something of the merits of your reformed Parliament, and I hope it will be found to answer your expectations. There seem to be some long talkers in it, who are no small bar to work. I wish the people would discriminate between the *talking* and the *working* members, those who talk to please themselves, and those who are really business men. Until your principles of finance are founded on correct views, no relief will be afforded to the country. Your leading men are all far from the right path—none wandering more than Mr. Hume. I trust things are beginning to improve in your neighbourhood, and that the general industry of the country begins to find more ample employment; but I much

fear there will be no material change until the finance concerns of the Government undergo a thorough revision, both as regards the principles and the extent of your system of taxation—the one is wrong directed, and the other too inconsiderable, if you consider the amount of the population, the extent of the improved industry, and the increased resources and income of the country." The last idea here promulgated, which seems to have been a favourite one with Dr. Milne, viz., that the taxation of the country was not sufficiently high, would probably find few supporters; but his views regarding other two public matters, viz., the Established Church in Ireland, and the English Poor Rates, have, notwithstanding much opposition, been since supported by public opinion, and carried into effect. Writing on 6th April, 1833, he says:—"It is to be hoped that your new Parliament will be guided by temper and discretion, that the party who were adverse to reform may have no reason to triumph by any acts of imprudence. Above all things, there should be no clashing of interest, or attempt on the part of

one class to depress another. Where abuses really exist, they should be corrected; and none is more urgent than that of the Irish Protestant Church, and the English Poor Rates. Both of these evils ought to be corrected. It is quite preposterous to maintain an overgrown and useless hierarchy, which have no one feeling in common with those who support them; and I should say that the Scotch system of a church establishment is by far the most simple and the best. The clergy of Scotland are not above their work; and their doctrines teach a rational and useful code of moral precepts."

In addition to the anxiety displayed by him for the improvement of medical education, as evinced by the establishment of his Medical Bursary, and in his numerous letters to Mr. Fordyce thereanent, and for the cure of those diseases which were then prevalent in long voyages, as displayed in his letters on that subject, the elucidation of obscure subjects in physiology and disease also occupied his attention—thus (4th Nov., 1839), after expressing his gratification at the late Mr. Moir

having been appointed Lecturer on Anatomy in King's College, he adds, "I hope he will combine with his course a sound and rational system of physiology, as these two branches are almost inseparable. Connected with the latter science, I will afford him some knowledge of the progress I have made in determining more fully and clearly the nature and uses of the spleen, as an important auxiliary in promoting the progress of digestion, and moderating the general force of the circulation when excited by the food taken into the stomach—points which are imperfectly understood. I shall also have occasion to turn his attention to a class of vessels termed the superficial lymphatic class, as the source of a disease of the nature of which our medical men are perfectly ignorant; consequently, the anatomical structure of these vessels, and the influence to which they are liable, is never thought of or considered; hence the disease to which they are subject is not even surmised, and the most absurd notions are received by all. These are two subjects which Mr. Moir's accurate anatomical knowledge will

at once enable him to understand. I had in early life fully embodied a perfect explanation of the various changes occurring during the progress of digestion, but the paper was lost. I have, however, minutely developed the organic disease of the class of vessels I have mentioned, and I will desire copies to be sent to Mr. Moir. This latter detail will introduce to him a view of a subject which is not at all understood, and it will bring a mass of absurdity within the compass of sound and understood principles and scientific arrangement; he will also find that his anatomical examinations perfectly accord with the description of the substance erroneously and ignorantly termed "guinea worms." I have taken no small pains to explain and elucidate this subject, but the ill-prepared and unstored minds which are so often sent here, unfit them for any enquiry in which a portion of science is requisite, and not one of the number can afford you a description of the class of vessels forming the seat of the disease, and they are equally strangers to the phenomena attending it, as they are to its rational treatment."

His antipathy to tobacco, particularly in the form of snuff, was very great, and he condemned the practice of snuff-taking in no measured terms. Thus, in his letter of 6th December, 1835, he writes :—" It has been remarked to me that you have been led into the habit of snuff-taking, a practice which always, sooner or later, affects injuriously the powers of the stomach and the general nervous energy. The class of drugs (for tobacco is a drug), to which this product belongs, is the narcotic, which class all act on the nervous system, in whatever way they are used, being more or less powerful in their effects according to the extent of surface and sensibility of the part to which they are applied, and the quantity used. You will well remember the general palsy with which your worthy grandfather, Mr. Ritchie, was affected in his latter days, and which was certainly the effect of the quantities of snuff he used. This habit is the cause of rendering all attacks of disease or of ailment obstinate, and frequently entails a character of constitution totally different from the original one. Not only on ac-

count of your health, therefore, but to prevent future ill, I would strongly urge you to discontinue by degrees the use of this narcotic drug, which is most injurious to many." Almost every succeeding letter of the Doctor for a considerable time contains passages of a similar kind; but Mr. Fordyce, who was by no means a slave to the habit, appears to have passed them over in silence, and at length the remarks were discontinued.

The extracts already given afford, however, but a faint idea of the Herculean labours undertaken by Dr. Milne, the more important of which will best be summarised in his own words. 26th February, 1837. "My own hands are, as usual, filled with a variety of objects. I have succeeded in uniting the Islands of Bombay and Salsette with the continent of India, by the construction of a bridge of seven arches now in progress; in opening a communication between the upper and lower country for wheel conveyances; in directing attention to the importance of a line of road to unite the Eastern and Western Presidencies of Bengal

and Bombay; of making the latter an open city, and instead of defending a defenceless fort to defend the island; of joining by a good road the rich province of Guzerat to Bombay; of directing attention to the primary object of centrically fixing the supreme Government by selecting the old Mogul capital of Aurungabad for the seat of Government; and in now suggesting a proposition of the intersection of the whole of India with good roads, bridges, acqueducts, tanks, &c., and for the demolition of all forts and places of strength, and thereafter for rendering the greater part of the army of India a disposable one. There are a multitude of minor propositions which are brought within the scope of my general plans—all of moment, and likely by degrees to be accomplished. My suggestion of an overland route will also, I hope, be adopted, and if so the Mail will pass between Bombay and London in thirty-two or thirty-three days. You see, therefore, that my hands are well filled, and if I succeed in effecting only half of my present contemplated measures, this country will become one of the finest and most

productive in the world, and the Government one of the most efficient." 13th March, 1840. "I have spared no pains, and will, I hope, by perseverance, effect the great object of opening a free communication throughout this great empire. I will then die in peace."

In these labours, and in his own financial affairs—which, from the unfortunate way in which his monies were lent out, required a good deal of book-keeping—Dr. Milne had the assistance of one or more clerks, besides keeping his own indefatigable pen in constant work.

The estimation in which Dr. Milne was held in consequence of his many public services, was acknowledged in very handsome terms on the occasion of his retirement from the head of the Medical Board; but, unfortunately, the documents sent to him on the occasion have not been preserved, having, at his own request, been transmitted by Mr. Fordyce to his friend the late Major Mitchell, of Ashgrove, afterwards of Fetternear House. They are, however, thus referred to in his letter to Mr. Fordyce, of 4th October, 1834, from which their general purport

may be inferred:—"I promised to send Major Mitchell a copy of the orders of this Government, and of the sentiments conveyed to me by my colleagues on the occasion of my retiring from the public service. They will be satisfactory to him, as they will shew him that I have not been an idler during the last forty years. The public has not gained by my departure, for none have exercised that vigilance and minute control which was felt in every department when I was at the head of the Board. I can safely say that the Medical branch of this Establishment would then have done credit to any Government, and my colleagues, as you see, do not fail to do me justice."

Mr. Fordyce did not allow the benefit of Dr. Milne's lucubrations on public matters to be confined to India, but exerted himself to extend it to this part of the world also, by sending extracts from his letters to a newspaper then published in Aberdeen, called the *Banner*, and otherwise. With this the Doctor was much gratified, as will appear from the following passage in his letter of 16th September, 1840:—

"I was gratified to observe the pains you have taken to bring the subjects embraced in my correspondence with Lord William Bentinck before the public, and to the notice of the India Association. I hope this public notice will do good. We are, as yet, in our infancy in knowledge of finance; and the development of the principles explained in that paper will bring general attention to their consideration. Until this country has more attention given to it, and on a more extended scale, we must not expect that improvement in its resources and products which would follow facility of communication. Remember what Scotland was without roads and bridges—see what that country, with free communication, now presents. In aid of this important object, and of the general Government, my letter on the central establishment of the Supreme Authority was written; and the memorial for the signature of the community here was framed, and afterwards embodied in a Petition to the Court of Directors, and to Parliament. I must now show you what has been done to effect the introduction of British

currency into India, and I have the pleasure of enclosing you the correspondence which has taken place in urging this point on public attention; but, as large bodies move slowly, this important object has not yet received that attention which its great influence on commerce demands. This simple expedient also enables the Government to do justice to the public servant, while the Annual Revenue is improved in value to the extent of twenty-five per cent., or five millions a year. You know that men in power, as Sir John M'Pherson once observed to me, are not inclined to admit that you know things better than they do, and, consequently difficulties arise in the introduction of many public measures, in the conception of which they have not had a share. As you have given to the public the financial papers, you may as well, at your convenience, give them the currency correspondence, as it may attract the attention of the many to the subject; and it is a topic which will, no doubt, fix the attention of the Indian Association, as one of importance both to Britain and to British India."

But the work for which Dr. Milne will best be known to posterity, particularly in his native county, is his Educational Endowment; and it may be interesting to trace his intentions from the time when they first acquired a definite shape till their ultimate development. His first correspondence on the subject was with Mr. William Dingwall Fordyce, but nothing was done in his lifetime. After his death, Dr. Milne wrote to Mr. Arthur Dingwall Fordyce as follows:—"6th February, 1833. The condition of parish schoolmasters requires to be improved, in order to retain more able and efficient men. As an experiment, I could wish to ascertain how far the aid of £20 a-year to each of the above-mentioned parishes (Nether Banchory and Monymusk), would operate to encourage a better class of teachers. I propose that for each poor scholar, unable to pay for his education, the master should annually receive one pound; or, to operate as an encouragement to children and parents to receive instruction, to pay half to the teacher and half to the scholar—that would be half a crown a-quarter to each, which would

have the effect of interesting both in the great work of instruction. I would, therefore, be happy to have your opinion on this experimental point, and how far it would be beneficial, and could be introduced in the two parishes I have specified, as I may then be induced to attempt it and extend the system more generally." In his letter of 26th February, 1834, he says — "I mentioned in my last letter a proposal for your consideration, but as it would trench, perhaps, on the salary which it would be desirable to appropriate to the teacher, in order to secure the services of respectable men, I should be glad to have your opinion. It would be injudicious to place men above their work, although desirable to retain an able and efficient instructor, while children are encouraged to exert themselves by a small reward." On 30th July, 1834, he wrote, urging the carrying his proposed plan into effect, and requesting Mr. Fordyce to issue his own directions on all points of detail, and to prepare the draft of a deed as soon as he should have leisure to adjust the terms of it. On 28th August,

1834, he wrote, enclosing a memorandum regarding the proposed plan, containing *inter alia* the following rules:—"The children shall be selected by the kirk-session, which it is to be hoped will be careful to give a preference to the children of the most industrious and frugal parents, and most numerous families, being also careful that this Institution be not abused by unworthy or unfit selections, or by bestowing it on children whose parents have a sufficiency of means. It will be highly desirable that the clergymen of those parishes should give their attention to so important an object as the improvement of the human mind, and that they will see the number of children preserved complete, that the great object of instruction, which it is the main consideration to promote, in improving the condition of the schoolmaster, is duly encouraged." On 4th October, 1834, he wrote, enclosing the certified copy of a Will which he had executed on the 22nd of the preceding month, and in which, after leaving certain legacies, he bequeathed the annual interest of all his monies for the purpose above specified,

in much the same terms as in his final Last Will, of which a copy is appended hereto.

In consequence of these communications, Mr. Fordyce proceeded with his arrangements for the purpose of carrying Dr. Milne's intentions into effect in an experimental form. He entered very warmly into the subject, and devoted a great deal of time and attention to it, not only by correspondence with the clergymen and schoolmasters of the different parishes and others, but also by personally visiting the schools, and examining the scholars, and seeing that Dr. Milne's instructions were properly carried out in every respect. Circumstances led to the two parishes above mentioned being passed over in the first instance; and the parish of Skene, where Dr. Milne's Father and Grandfather had for a time resided, was selected for the commencement of the experiment. A document entitled "Terms and Conditions," for regulating the bestowal of the grant, was carefully prepared by Mr. Fordyce and the author, after conferring with various parties experienced in educational matters, and signed by Mr. Fordyce and the schoolmaster.

Mr. Fordyce also—in consequence of Dr. Milne writing that he intended sending money home to be invested on heritable security in this country, the right to which would not, according to the law as it stood at that time, be carried by the testamentary document above mentioned—caused the author to prepare a Deed of Settlement in the Scotch Form so as to embrace the money that might be so invested as well as others, and also heritable property in Scotland if such should be purchased; besides remedying certain other deficiencies in these documents. In particular, the Deed provided for paying over the residue of his Estate to a body of permanent Trustees for the management of the Educational Bequest, with power to them to frame all necessary Rules and Regulations in the event of the Doctor not doing so himself. A list of certain official parties to be named as Trustees was at the same time sent for his consideration, and also a copy of the "Terms and Conditions" for the school of Skene, before referred to, in order that it might assist Dr. Milne in framing per-

manent Rules and Regulations, to be signed by him in reference to the Deed of Settlement. These papers were, accordingly, sent out to Dr. Milne in the year 1835, but the Deed of Settlement was not executed by him till 14th June, 1841, being within a few days of his death; the cause of delay being his hesitation in fixing on the parties to be named as a permanent body of Trustees, as to which various schemes occurred to him, but ultimately the list sent to him was adopted.

As already mentioned, the temporary endowment was first begun in the parish of Skene. In 1836, the parish school of Nether Banchory was added, and also a school at Portlethen, in the same parish. The parish school of Nigg was adopted much about the same time, but had to be discontinued after Dr. Milne's death, being beyond the bounds specified in his Settlement.

A discretionary power which he confided to Mr. Fordyce about this time, was, unfortunately, also inoperative after his death, from the want of any authority in the papers left by him.

Thus, in his letter of 14th October, 1836, he writes,—"Regarding any additional charges on account of the children, for slates, paper, pens, books, and items requiring any outlay from their parents, I am of your opinion that they should not be provided or defrayed by the schoolmaster, as the object is to pay him an undiminished salary, both for the purpose of enabling him to support his respectability, and to encourage him to execute his duties with zeal and attention. To require the parents of the children to make the provision, would be an addition to the hardship of their lot, which would not accord with my sentiments of charity and humanity, knowing well that these poor people have but little to give, and I should be sorry to deprive them of any portion of what they require to promote the comfort of their homes. This provision will then form an item of your expenditure, of which I am sure you will approve, and can debit my account accordingly. In regard to fuel, the provision was, in my day, made by the conveyance of turf by the scholars, who daily delivered on entry their

peat, and those formed the stock for the day's consumption. When this can be done, I see no objection to the practice being continued, as it in noways abridges comfort, and it will only require a small portion of additional labour from the elder branches of the family. Where this provision cannot be made, and it is necessary to purchase fuel, it will, under defined regulation, become an item of your charge."

It is also to be regretted that provision was not made for the permanence of another discretionary power which he subsequently (20th August, 1839) conferred on Mr. Fordyce, as follows:—"To your query regarding the application of encouragement, as established in the parish Schools, I would suggest in reply, that where temptations to irregularities are so great as in large towns, your principle is as essential, if not more so, than in retired country villages; and that you may effect much good, and make your presence of weight, by rewarding the meritorious scholar, and the orderly portion of the youth, whether male or female. For two reasons, therefore, the employment of reward,

and the satisfaction you will impart by your presence in encouraging merit, I highly approve of the application of your principle in all the District Schools; and I am sure that Clergyman and Teacher will concur in this resolution, so well calculated to promote their views of intellectual and moral improvement. You will be the best judge as to the mode and extent of applying this object of general encouragement, and I leave that point entirely to your own discretion."

In the letter before referred to, of 14th October, 1836, Dr. Milne thus alludes to the Dick Bequest, for the furtherance of education in the Counties of Aberdeen, Banff, and Moray, to which his own may be considered as supplementary in the County of Aberdeen; and also to the system of education introduced by Mr. Wood at Edinburgh, from which great hopes were then entertained. "The spur given to the general system of education throughout the country by Mr. Dick's Bequest will do much good; and I have been delighted by the able arrangements of Mr. Wood, in improving the

mode of instruction in the Sessional School. Education is there an intellectual process, instead of being a mere mechanical one—a relation of rote, moving the memory, but leaving the mind untouched. Mr. Wood deserves the greatest praise; and I trust the measures so successfully pursued under his auspices will be extended in due time throughout the country; and if it is competent for you to modify the course adopted in the Schools you have selected, it would be highly expedient to do so; and there is no Teacher of any portion of understanding who will not readily give his mind to introduce so admirable a system, which will render his labours so interesting, and place him in the midst of an assemblage of intellectual beings." These suggestions were carefully attended to by Mr. Fordyce, and every effort was made by him to get the intellectual system acted on among the children deriving the benefit of the Bequest, so far as practicable.

In the year 1828, the parish of Saint Nicholas, comprising the whole of the old portion of the Town of Aberdeen, was divided into six

parishes, with separate Kirk Sessions for ecclesiastical purposes, in addition to a general session for civil and other purposes; and soon thereafter some of the Clergymen began to devise means for establishing Schools, which got the name of Sessional Schools, for the education of poor children in their respective parishes. The first of those Schools was established in Trinity parish (one of the *quoad sacra* parishes which existed in Aberdeen before the Disruption), and was brought under the notice of Mr. Fordyce by the Clergyman of that parish, the late Rev. David Simpson. Mr. Fordyce warmly approved of this movement, and wrote to Dr. Milne on the subject. In his answer, 30th September, 1837, Dr. Milne says:—"The case of your Trinity Church School affords such a case as will require your attention; and I request you to mention to Mr. Simpson that your plan will immediately be extended to promote his laudable efforts; and it will be for him, and the Session of his Church, to select fit objects for your approval; and that a salary of £20 a year will be paid to the

Teacher, who will be required to conform to your regulations as regards the children under your establishment. I will be delighted to find that the other wards or parishes of your improving City follow the example of Trinity parish; and if cases shewing similar urgency to that of this parish are brought forward, I will not fail to attend to your application."

With the above addition, the Schools now on the list, September 1837, were Skene, Nether Banchory (original), ditto Portlethen, Nigg, and Aberdeen (Trinity).

The good effects of this experimental endowment were soon apparent, and gave great satisfaction to Dr. Milne. On 16th October, 1838, he writes, "I am gratified to find that your anxious and zealous labours have been so steadily supported by those Teachers who have been brought under your influence; and as the first efforts have no doubt been the most arduous, I trust your future exertions will prove more easy and more effective to all concerned. The general improvement also of intellect, which will be the result of the measures

which are now in progress, will encourage all to pursue with steadiness the course established for their improvement, and you will soon, I trust, see on all sides of you, a generation which will do credit to the age we live in."

In all his measures for carrying his benevolent intentions into effect, Dr. Milne relied on the co-operation of the Clergymen and Schoolmasters of the Established Church, but at the same time he was singularly free from all exclusive views in matters of religion. This is apparent from numerous letters, but the following passage in the letter last referred to may suffice:—"You have transmitted to me a Prospectus of the contemplated object of constructing a new Church for the convenience of the people of Portlethen. This is no doubt very desirable, but I make it a rule never to interfere in what has reference to sacred things as they are *termed*, because men differ so constantly and frequently on such points that I always stand *neutral*, and deprecate all religious or sectarian discussions, which are so frequently at variance with the true and benig-

nant spirit of the faith which these sects profess. My object is to improve and inform the human mind, particularly those who from poverty and destitution would have remained ignorant; and the fruits of the instruction thus imparted are left to God's kind protection, through the medium of the blessing of a good understanding, and clear and just judgment." Again, on 20th August, 1839, he writes:—"I trust, in as far as your benignant efforts are concerned, you will make no distinction of sects. Wherever poverty and helplessness are found, grant your aid;—We are all dependent on Providence, and God makes no discrimination of his gifts. I hope your Clergy are disposed to view all alike, and to give every one the encouragement likely to promote instruction and mental improvement."

Besides what may be seen in several of the letters already quoted, many other of Dr. Milne's letters shew great anxiety for the education and improvement of the children in his endowment, and for their success in after life. The following from his letter of 20th

April, 1839, may be quoted:—"It is, therefore, desirable to afford every facility and encouragement to promote instruction and good feeling, that there may be no obstacle to improvement and the acquisition of those qualities which will enable these children to obtain respectable employment as they advance in years. I may consider myself as an example of this case, wherein the pains bestowed on my education and mental improvement enabled me to attain the highest medical rank in India, and on my retirement to obtain the marked approbation of the Government as well as the eulogium of my colleagues in the Medical Board. The latter was never conferred before, nor has it been bestowed since, because no one has taken the pains to obtain it. This I mention, that the benefits arising from instruction may be shewn, and impressed on the minds of all concerned." In this letter twenty-five scholars are for the first time fixed on as the number to be taught by each Schoolmaster, instead of twenty, and that only in regard to the City Parish Schools.

In the month of October, 1840, Mr. Fordyce

succeeded as heir of entail to the extensive Estates of the Dingwalls of Brucklay, in Aberdeen and Kincardine shires. On hearing of this event, and of the probability of Mr. Fordyce's residence being, in consequence, removed from the Town of Aberdeen to Brucklay Castle, a distance of thirty-two miles, whereby he would be unable to bestow the same attention as formerly to the Schools already placed on the experimental foundation, which were all in the Town of Aberdeen and the vicinity, Dr. Milne wrote, 19th January, 1841,—"I need not say how delighted I will be to extend this measure into the neighbourhood of your new abode, that you may continue to witness around you that diffusion of intellect which is the best gift of Providence. So perfect has been my reliance on your successful exertions, that I confess I am selfish enough to feel that my foot stands less firm by this change."

The above passage has given rise to some misunderstanding; on the one hand, an idea having gone abroad that Dr. Milne intended to give a preference, permanently, to the parochial

schoolmasters on the Brucklay estates; but it is evident that although he did intend to give a preference, while his grants were on an experimental footing, under the personal superintendence of Mr. Fordyce, to the schools within range of Brucklay Castle, the passage contains no indication, one way or other, of what he meant to be done when his endowment should be placed on a permanent foundation; and his final settlements appear to level all distinctions, except the merits of the teacher, and the needs of the parish.

There are only two letters from Dr. Milne to Mr. Fordyce subsequent to the above, dated, respectively, 26th February, and 20th April, 1841; and they are only remarkable as shewing the unabated interest which he took in public affairs, and the little thought he had of his approaching end, notwithstanding the warnings which he received by the death of old and valued friends. The first is chiefly filled with copies of three letters which he had written to the *Bombay Courier*, the first headed "Introduction of Capital into India," and signed "An

Impoverished Land;" the seconded headed "General Intercourse Essential to Improvement," and signed "An Enlightened Government;" and the third headed "Liberty and Right," and signed "Solon." These lucubrations do not appear to be of sufficient interest for insertion here, but the following passage in the last letter may be transcribed:—"I have seen with sorrow the death of Dr. Strachan and Major Mitchell. I shall, bye and bye, stand alone. It has been my good fortune to enjoy a long series of good health, and to-day I enter my sixty-seventh year, enjoying as good a constitution as I might be expected to do in England."

The close of Dr. Milne's earthly career being now near at hand, a list of the schools which up to that time were placed on the temporary footing may here be given, viz.:—

The Parochial School of Skene.
The Parochial School of Nether-Banchory.
The School at Portlethen, in that Parish.
The East Parish School of Aberdeen.

The North Parish School of Aberdeen.
The Greyfriars Do. do.
The Trinity Do. do.
The Bon-Accord Do. do.
The School at Disblair, in the Parish of Fintray.

All within the bounds specified in the Trust Deed; and

The Schools at Cove and Charleston, in the Parish of Nigg and County of Kincardine.

On the 2nd of July, 1841, the indefatigable industry of Dr. Milne was brought suddenly to an end. The only particulars of the event are contained in a letter of 1st January, 1842, from Mr. John Milne, one of the Executors, to Mr. Fordyce, in which he mentions that "up to within five minutes of his death, he was planning the occupation of his time for months to come." He was thus cut off in the sixty-seventh year of his age. He never had brother or sister, nor was he ever married; so that there was no immediate tie to hinder him from disposing of his fortune in accordance with his benevolent designs.

A copy of the Settlements left by Dr. Milne will be found in the Appendix, but the substance of them may here be mentioned. They consisted of a Last Will and Testament, bearing date 26th June, 1841; and a relative Trust Deed, dated the 19th day of the same month; with Memorandum annexed thereto, of even date with the Will. By the former of these Deeds he appointed Mr. Dingwall Fordyce, along with John Andrew Shaw, Charles Forbes, and John Milne, all of Bombay, as Executors of the Will; and by the latter he appointed Mr Fordyce and Mr. John Garden, of Aberdeen (who declined accepting), along with Mr. Charles Forbes and Mr. John Milne aforesaid, as Trustees and Executors of his whole estate, wherever situated; empowering them, whom he styled his Trustees and Executors in Britain, to call his Executors in India to account, and directing them to hand over the free proceeds of his estate, after deducting certain Legacies and Annuities, to such persons as he should appoint as Trustees and Managers by any writing under his hand; and failing such appointment, to Mr.

Dingwall Fordyce, along with the following official gentlemen, viz. :—the Provost of Aberdeen, the eldest Baillie, the Dean of Guild, the Members of Parliament of the City and of the County, the Principals of King's and Marischal Colleges, the Moderators of the Synod and of the Presbytery of Aberdeen, the President and Treasurer of the Society of Advocates in Aberdeen, the two eldest Ministers of the town of Aberdeen, and the Ministers of the parishes of Skene and Nether Banchory, all for the time being, and their successors in office, with power to assume other Trustees, not exceeding ten, to act along with them.

The final purposes of the Trust are the same in both Deeds, viz., for the promotion of education in the county of Aberdeen, and in the parish of Nether Banchory, situated partly in that county and partly in Kincardineshire. For these purposes, Dr. Milne directs in his Last Will that the annual revenue to arise from his estate is "to be bestowed in sums of £20 each to the most deserving Parish Schoolmasters within the county of Aberdeen, and that the

selections of those persons be made annually, as directed in a special deed framed by me for the better conduct of this bequest, always giving a preference to the most populous parishes, and to the best attended schools; for the sums that may be granted, each Schoolmaster to whom they are paid shall be obliged to educate, without fee, twenty five poor children who could not otherwise provide the means of paying for their education; and that the selection of such children be made by the Kirk Session of the parish." And in the Trust Deed (which includes the whole parish of Nether Banchory), it is declared "that the income of my said means and estate shall always be applied in such manner as not in any way to relieve the heritors or other persons from their legal obligation to support Parochial Schoolmasters, or to diminish the extent of such support, and so as not to interfere with the rights or powers of heritors and Presbyteries over Schoolmasters, or the Schools entrusted to their care, as the said rights or powers are by law insured to them." He, however, omitted to frame any

such special deed for the better conduct of the Bequest, as is indicated by the above quotation from his Will, so that this duty had to be performed by the Trustees, in virtue of the powers contained in the Trust Deed.

The three gentlemen in Bombay, Mr. Forbes, Mr. Shaw, and Mr. Milne, who were nominated as executors by Dr. Milne, expede Probate in the Supreme Court of Judicature at Bombay; and Mr. Fordyce did the same in the Prerogative Court of Canterbury, in order to entitle him to uplift a sum of money due to Dr. Milne in London.

On receiving from India an Exemplification (official copy) of the Settlements, Mr. Fordyce called a meeting of the official gentlemen named as Trustees and Managers, which was held on 21st February, 1842, and was numerously attended. At this meeting Mr. Fordyce gave a short narrative of what had been done in Dr. Milne's lifetime, towards laying the foundation of his educational endowment, and of the terms and conditions on which the Grants had been made to, and accepted by, the different schools

which had been selected, as embodied in the Code of Regulations signed by him on Dr. Milne's behalf and with his approbation, although never formally sanctioned by him; mentioning also that although the Trust Deed was in the same terms as a draft which he had got prepared and sent out to Dr. Milne some years previously, it was accompanied by another Testamentary Deed prepared by the Doctor himself, of a different date from the other, and the two inconsistent in some respects with each other; and he therefore recommended that before farther procedure an opinion of Counsel should be taken on the effect of these settlements. This recommendation was approved of by the meeting, and the author was at Mr. Fordyce's suggestion, appointed the factor and law agent of the trustees.

In compliance with the advice of Counsel thus obtained, certain actions were raised in the Court of Session, in which all parties entitled to prefer any claim of representation to Dr. Milne —whether as Trustees, Executors, Managers, or next of kin—were called; and on 31st May,

1844, an interlocutor was pronounced, finding that "both the said Trust Deed and the said Last Will and Testament must be held taken and construed together; as both of them, combined and co-relative, forming the last Will of the said deceased Dr. John Milne, and together importing and expressing the terms of his final Settlement of his Estate and Succession, and demonstrative of his meaning, and intentions, and desire, in reference to the objects and purposes to which the free residue of his estate is intended by him to be perpetually devoted and applied, and the persons by whom the same is to be held in trust, for securing the fulfilment of the said objects and purposes, and for carrying the same into effect."

On their powers being thus authoritatively recognised, the Trustees were put into possession of the funds left by Dr. Milne, and entered zealously on the performance of their duties, having up to this time merely carried on the Schools on the temporary foundation in the same manner as had been done in Dr. Milne's lifetime. Other difficulties regarding the inter-

pretation of the Settlements and the administration of the Trust, were in like manner removed by Decrees of the Court and the opinions of Counsel.

During the above period also the Executors in India had been active in endeavouring to ingather the moneys left by Dr. Milne. These moneys had for the most part been lent out to Indian officers and others, at a high rate of interest, varying from six to nine per cent., on the security of Life Policies for limited periods, and, as might be expected, when Dr. Milne's personal exertions and influence were withdrawn by death, several of these parties became defaulters, and considerable loss was sustained. The heaviest individual losses, however, were, first on a debt due by Messrs. Pollexfen, Milne, & Co. of Bombay (of which firm John Milne, one of the executors, was a partner), which, after allowing all the set-offs claimed by them, amounted to about £5,500 sterling, and was lost by their bankruptcy; and secondly on a claim against the ex-Rajah of Sattara of ₹25,718 standing against him di-

rectly in Dr. Milne's books, and of about ₹55,000 of Advances and Losses by the ship "City of Poonah," which there is reason to believe were made on account of His Highness, making together about £8,000 sterling. On being pressed for payment, His Highness not only repudiated the claim, but also threatened the Executors with a suit for payment of a large amount of advances said to have been made by him to Dr. Milne, but which, if made at all, must have been for His Highness's own purposes. After considerable correspondence with the Executors in India, it was deemed prudent to let be for let be, and thus the matter ended; but, as hinted in a previous part of this Memoir, it is questionable if Dr. Milne would have passed so high an encomium as he did on this dignitary, if he had foreseen the way in which he was to settle up the cash transactions between them.

After all deductions, however, the moneys handed over by the Executors in India, and by Mr. Fordyce as Executor in Britain, amounted to about £47,500.

One part of the directions contained in Dr. Milne's Last Will is of a very singular nature, shewing the eccentricity of the man, and contrasting strongly with his usual shrewdness and good sense. It is in reference to a young girl, Miss Amy Green, whom he styles his very dear little friend, then at the Seminary of Mrs. Ward, in Bombay, to whom he left the interest of ₹24,000, for her maintenance and education, during such period as she might remain unmarried, and on whom he proposed to devolve the charge of superintending his Educational Endowment. The passage is as follows:—

"With reference to the plan of education now partly in operation, and contemplated to be gradually extended, as specified in a Deed executed by me for that purpose, it is my wish, should such meet with Miss Amy Green's concurrence, that she should, in conjunction with my friend, Arthur Dingwall Fordyce, employ herself as the Lady Directress, under his instructions, of superintending these institutions, and that my Executors in Bombay, in such case, take an early opportunity of sending

her to join my said friend, Mr. Arthur Dingwall Fordyce." It is needless to say that Mr. Fordyce, and the other Trustees in this quarter, did not approve of having such a coadjutor; and it is not difficult to conceive with what feelings the Parochial Schoolmasters of Aberdeenshire would have seen this juvenile Lady Directress placed over them in the superintendence of their duties under the Bequest. Another difficulty also occurred in connection with this lady, viz.:—That it was very doubtful in the opinion of English Counsel, whether the restriction on her right to the dividends on ₹24,000, to such period only as she might remain unmarried, was not an unlawful condition, as being in restraint of marriage. An arrangement, however, was made by the Trustees with Miss Green, whereby, on payment of a certain sum in full of all demands, she gave up *inter alia* all claim of interference in any way with the Schools, and thus the Schoolmasters were deprived of the benefit of her sage counsel.

Notwithstanding various heavy expenses

which Dr. Milne's Trustees were exposed to at the outset, these were more than compensated by the interest and rents which accrued before the educational endowment was brought fully into operation. The funds were at first invested in the purchase of the Lands of Kennerty, on Deeside (now called Schivas); but Mr. Irvine of Drum having expressed a strong desire for these Lands, the Trustees agreed to pass the purchase to him on payment of the sum of £1,750 and expenses; and the funds were thereafter invested in the purchase of the Lands of Muchalls, in Kincardinshire. That purchase has turned out a good bargain; and if the Lands were now to be sold, they would no doubt realise a profit of several thousand pounds.

In proceeding to bring the Educational Bequest into full operation, the Trustees, in the first place, established a set of Rules and Regulations, founded chiefly on those previously observed in Dr. Milne's lifetime, with some useful schedules subjoined. In framing these Rules, which are dated 6th June, 1845, and in making

other important arrangements, the Trustees in general devoted a good deal of time and attention; but the chief merit is due to the Rev. Dr. Paul, of Banchory, who, to an intimate knowledge of the subject, derived from the previous establishment of the experimental foundation in his parish, brought to the task a comprehensive and intelligent view of the best mode of carrying the benevolent intentions of the Testator into effect; and, being a permanent Trustee, he has ever since taken a lively interest in every measure for the benefit of the Trust, both in its financial and educational aspects. Other three Trustees deserve also to be specially mentioned for their valuable services in bringing the Trust into successful operation—the late Sir Thomas Blaikie, William Simpson, and John Duguid Milne, all now no more.

The next measure adopted by the Trustees was the appointment of an Inspector, to which office the late Rev. William Woodman, parochial Schoolmaster of Fraserburgh, was elected on 15th July, 1845. He, however, resigned the office in the following year; and on 17th March,

1847, Dr. John Cruickshank, then Professor of Mathematics in Marischal College, was appointed, and performed his duties with much credit to himself, and to the entire satisfaction of the Trustees, and of all others connected with the Trust, till November, 1864, when his resignation, which had been tendered a twelvemonth before, was accepted. The office is now held by the Rev. John Christie, D.D., parochial Clergyman of Kildrummy.

The first selection of Schoolmasters was made on 21st September, 1846; when the Trustees, after considering a Report from the Inspector, and other information from a Committee of their own number, made a selection to the number of fifty-one. That number has been gradually increased, and at the present time (1871) there are eighty-nine on the Roll.

In making these selections from time to time, the Trustees have kept carefully in view the double objects contemplated by Dr. Milne, viz., the elevation of the status of the Parochial Schoolmasters, and the education of the poor in those parishes where it is most needed. Their

success in the former of these objects is patent to all the world. The zealous and judicious efforts of their successive Inspectors, along with the pecuniary benefits bestowed by the Trust, in addition to the Dick Bequest, which the Teachers enjoy in common with their brethren in Banff and Moray shires, have been the means of attracting to the Parochial Schools of Aberdeenshire a superior class of men, and of raising the standard of tuition among them to a high pitch of excellence, insomuch that the Teachers of this county are universally allowed to stand higher than any others in similar situations.

In regard to the scholars, it will be seen that each Schoolmaster on the Roll is bound to give gratuitous instruction to twenty-five poor children, so that, with the present number of participating Teachers, eighty-nine, there are at least 2,025 children so taught. In point of fact, however, almost every one of the Teachers selected has considerably more than twenty-five on the Roll, and almost all the other schools have a full complement of poor scholars, in the

hope of being selected as vacancies occur; so that, on the whole there are, directly and indirectly, about three thousand poor children deriving the benefit of education gratuitously by means of this Bequest. In order that the education thus afforded may not be superficial, in consequence of some children being unnecessarily removed from the school after a short period of tuition, by their parents, by the Teacher, or by the Kirk-Session, but that each child may have an opportunity of deriving the benefit of continuous education for a series of years, the Trustees have made it a rule that the children "shall enjoy the benefit of the Bequest, while it is continued to the School, so long as they give regular attendance, and behave themselves with propriety. That bad health be regarded as the only valid plea for non-attendance; and that their parents or guardians be made distinctly acquainted with, and that they agree to these conditions before the children be admitted to the privileges of the Bequest;" but in order that these privileges may not be abused, it is provided by a subsequent rule that

the Kirk-Session "shall have the power of removing the children chosen, either for reasons known to themselves, or upon a complaint made by the Schoolmaster, of which they shall be the sole judges." It would be well that these rules were properly understood by all parties; a misunderstanding in this respect having, unhappily, been one cause of a very serious dispute between a Schoolmaster and the Kirk-Session of his parish.

In addition to the benefits thus conferred on such a large number of poor children, by a gratuitous education, may be added that of home training, under the eyes of their parents or guardians. All these benefits have been obtained on a capital of about £50,000, and they may be contrasted with those conferred on the Hospital system, by endowments for similiar educational objects. For this purpose Donaldson's Hospital in Edinburgh, which was founded for the education of a similar class of children, may be selected as an example. The building and furnishing of the fabric cost £118,000, and the fund for endowment otherwise amounts to

£230,000, together £348,000. The total number of children which the building can contain is three hundred—one hundred and fifty boys, and one hundred and fifty girls; but the actual number, according to the last return, is only two hundred and twenty-nine—one hundred and thirty-four boys, and ninety-five girls. These children are, no doubt, lodged in a palatial residence, but it may be questioned whether this splendour is so superior to the comparative squalor of their parents' abodes, as to compensate for the poverty of the number of children benefited, in the proportion of two hundred and twenty-nine to three thousand; or even whether the advantages are not the other way, irrespective of numbers.

In the exercise of their patronage, the Trustees have been careful to avoid partiality and the solicitation of friends. No doubt they are yearly applied to by certain of the non-participating teachers, and by others on their behalf, and probably the usual conciliatory answer—that the application will be duly attended to—is generally given; but when the

day of election arrives, all private considerations are set aside, and the selections are made in accordance with the Rules laid down by the Testator and by the Trustees themselves. To do otherwise would be to act in direct defiance of Dr. Milne's intentions, as strongly expressed in his letter of 6th December, 1835, relative to the Medical Bursary.—"I have received from Mr. Milne some very important information as to the mode of disposing of the Medical Burse at King's College, which it would seem is bestowed as a matter of favour, and that a promise even is, in some instances, obtained before the Student enters at College, and before it is known what his merits may be. This would imply that this gift is bestowed from favour, and not from the merits of the individual. This course is so directly at variance with the letter and spirit of my instructions, which made this gift the reward of merit, that I shall be obliged to express my displeasure at this deviation from the rule I had laid down. I shall, therefore, take an early opportunity of conveying my sentiments to Mr. Tulloch for the future

guidance of his colleagues and of himself, in bestowing with impartiality this tribute to merit and industry." It is to be hoped that the Professors of the present day are more conscientious in the exercise of their patronage of this their only Medical Bursary, and that they take due care to discriminate as to the merits of those applicants who pass through their respective classes. The same indignation would, no doubt, have been expressed by him if he had contemplated any dereliction of duty on the part of his Educational Trustees, but for which, it is to be hoped, there will never be any cause. Meritorious Teachers, to whom the practice of solicitation must, no doubt, be very disagreeable, may rest assured that their claims will not be overlooked.

Dr. Milne was also very desirous that the patronage conferred on the Kirk Sessions should be properly exercised, as will be seen from the passage already quoted from his Memorandum of 28th August, 1834, where certain sentiments are expressed which the Sessions will no doubt willingly give effect to.

On the whole, the directions given by Dr. Milne regarding his educational endowment have been faithfully followed, and his benevolent intentions realised. By this measure, he is best known at the present day, and will be so to posterity, but it is only one out of a multitude which he was constantly engaged in for the public good. From his natural shrewdness, his public spirit, and his unceasing activity, he set on foot many useful schemes, a summary of part of which, in his own words, will be found on page 58. In all of these his aims were truly patriotic and unselfish, and in some respects he was in advance of his age. His mind was essentially of a practical nature, although his enthusiasm in whatever was uppermost at the time, led him at times to overlook objections that are patent enough to a more cool observer. For instance, in the very logical process of reasoning by which he establishes his favourite idea of the advantage to be derived by a nation from increased taxation, and scattering money broadcast among the people, even although expended merely on toys (*antea* page 43), he

overlooks the obvious consideration, that in order to the money going into the pockets of certain members of the community, it must either come out of the pockets of other members and thus limit their powers of spending, or else form a permanent drag on the energies of the country. His general policy, however, of developing the resources of India, by opening up communications, and other useful works, has been carried out to an extent beyond what he could have anticipated; and the debt of that country has increased to an extent, which, if he could have forseen it, must have gladdened his heart,—whether it is equally pleasant to the tax-payers may, however, admit of doubt. With such tendencies to start aside from the beaten tract of ordinary mortals, it is fortunate that he met with such a correspondent as Mr. Arthur Dingwall Fordyce, who, by his practical good sense, and untiring zeal, put the Educational Endowment, in its experimental form, on a proper foundation, and by his regular correspondence with Dr. Milne, kept his interest in it alive, and thus ensured the bulk of the Doctor's

fortune being devoted to this highly useful purpose. His Bequest has already been instrumental, to a great extent, in carrying out the benevolent and judicious intentions expressed in his Last Will, of "improving the sources of imparting instruction and knowledge to, and consequently of elevating the character, and by this means of promoting the advancement in life, of generations yet unborn"; and it is to be hoped that whatever changes may take place in the educational institutions of the country, care will be taken that the "Milne Bequest" shall not be absorbed in any common fund, but be applied, as hitherto, in addition to all other advantages possessed by the Teachers, and thus be the means of maintaining the pre-eminence to which the Parochial Schoolmasters of this county have attained.

FINIS.

APPENDIX.

SETTLEMENTS OF DR. MILNE.

THE TRUST DEED

OF

DR. JOHN MILNE,

LATE PRESIDENT OF THE MEDICAL BOARD ON THE BOMBAY ESTABLISHMENT.

I, DOCTOR JOHN MILNE, residing at Bombay, late President of the Medical Board on the Bombay Establishment, considering that I have it much at heart to increase the means of education, especially by promoting the religious and moral instruction of poor children, in my native county of Aberdeen, in North Britain, and in the parish of Nether Banchory (situated partly in Aberdeenshire and partly in Kincardineshire, where one of my parents once resided), as well as to improve the condition of Parochial Schoolmasters there, particularly those of the country districts; and having resolved to bestow, for the attainment of these ends, the residue of my means and estate, heritable and moveable, after payment of such legacies as I may bequeath—

Do hereby give, grant, assign, dispone, convey, and make over, from me, my heirs, executors, and successors, to and in favour of Arthur Dingwall Fordyce, of Culsh and Brucklaw, Advocate in Aberdeen; and John Garden, Clerk and Merchant, residing in Aberdeen; Charles Forbes, or the senior partner of the firm of Messieurs Forbes and Company, Merchants of Bombay; and John Milne, of the firm of Messieurs Pollexfen, Milne, and Company, Merchants of Bombay, and the acceptors or acceptor, survivors or survivor of them, and to and in favour of such other person or persons as may be nominated by me, or as may be assumed by them or the acceptor or survivor of them, into this trust in virtue of the powers hereinafter granted for that purpose (a majority of those accepting and surviving being always a quorum)—All and sundry lands, heritages, tacks, heritable and personal debts, sums of money, goods, gear, and effects, and in general my whole property and estate, heritable and moveable, of whatever nature or denomination, or wherever situated (including heirship moveables), belonging, or which shall

belong or be addebted to me at the time of my death, or in which I may be then interested in any manner of way, together with the whole vouchers and instructions thereof, and the writs and evidents of my heritable estate. And I bind and oblige myself, and my heirs and successors whomsoever, to make, grant, subscribe, and deliver all such deeds and writings as may be necessary for effectually vesting the premises in the persons of my said Trustees, and for rendering complete their title to my said whole heritable and moveable estate: With full power to the said Arthur Dingwall Fordyce, John Garden, Charles Forbes, and John Milne, and their foresaids, to sell, and dispose of, discharge, renounce, assign, or convey, the whole heritable and moveable property and estate herein generally conveyed, to pursue for, recover, receive and discharge the same, and generally every other thing in relation to the premises, to do, which I might have done myself before granting hereof, and I hereby nominate and appoint the said Arthur Dingwall Fordyce, John Garden, Charles Forbes, and

John Milne, and their foresaids, to be my sole and only Executors, and haill and universal Legators and Intromittors with my whole moveable estate, with power to expede confirmations, probates, or letters of administration, and all other titles that may be necessary, hereby excluding all others from the said office, excepting only the office of executor or administrator to my estate in India, but with power to my said Trustees and Executors in Britain, and their foresaids, to call and insist for just compt and reckoning and payment, with any executor or executors already appointed, or that may hereafter be appointed by me to administer to my estate in India, and to give him or them such directions regarding the realising of the same, and remitting the proceeds home to them, for the purposes of this Trust, as they shall see fit, and failing such appointment by me, or in the event of the death or non-acceptance of the persons so appointed to be my Executors in India, with power to my said Executors in Britain to administer to my estate in India themselves. Providing always and declaring, for the encour-

agement of my said Trustees and Executors in Britain, that they shall be accountable for my property and estate in India no farther than to the extent received by them, and that, in recovering and realising same, they shall be allowed the fullest discretion as to the time of taking the necessary measures for that purpose, and the measures themselves, and shall not be accountable to any party on those heads, I having full confidence that they will do what is best in the matter, and wishing to impose upon them no responsibility in regard to recovering my said property and estate in India, feeling that if I did so, it would be a condition to which, at so great a distance from the property and estate, they could not be expected to agree. Providing also and declaring hereby, that these presents are made and granted by me, and shall be so accepted of by the said Arthur Dingwall Fordyce, John Garden, Charles Forbes, and John Milne, and their foresaids, in Trust for the uses and purposes after specified, *videlicet*:—In the first place, for payment of all my just and lawful debts and funeral expenses, together

with the charges attending the execution of this Trust; Secondly, for payment of the legacies bequeathed in the Last Will signed by me upon the twenty-second day of September, eighteen hundred and thirty-nine, and of any other legacies that I may bequeath by other will or writing under my hand; and, Lastly, to pay, assign, and make over, the free proceeds of my said heritable and moveable estate from time to time, as the same shall be received or come into possession, and all interests, dividends, and annual produce thereof, to such persons as I shall appoint, as trustees and managers, by any writing under my hand, and failing such appointment, to the said Arthur Dingwall Fordyce, with the following official gentlemen, *videlicet*— the Lord Provost, the eldest Baillie, and the Dean of Guild, and the Members of Parliament of the city and of the county of Aberdeen, the Principals of King's and Marischal Colleges, the Moderator of the City of Aberdeen,* the Moder-

* The word "City" is here written by mistake in the original for "Synod," but by Decree of Declarator of the Court of Session, of date 26th February, 1847, it is found and declared that the Moderator of Synod is effectually named and appointed as one of the official Trustees.

ator of the Presbytery of Aberdeen, the President and Treasurer of the Society of Advocates in Aberdeen, the two eldest Ministers of the town of Aberdeen, and the Ministers of the parishes of Skene and Nether Banchory, all for the time being, and their successors in office, and to any three or more of them accepting, with power to them from time to time to assume into the Trust along with themselves any number of individuals not exceeding ten, in whom they may have confidence, such assumed trustees having the same powers and privileges as themselves, a majority of those accepting and surviving being always a quorum, to be by them vested in or upon government or heritable security, or other approved securities, or in the purchase of landed property, and with full power to the said Trustees to vary such securities, and to manage the foresaid residue of my estate in such manner as to them shall appear to be the best. And I hereby direct that the said Trustees and Managers shall apply the interest, dividends, and annual produce of such securities or landed property, from time to time, as the same

shall become due, for promoting the religious and moral education of poor children, and for improving the condition of Parochial Schoolmasters, in the said county of Aberdeen, and parish of Nether Banchory, particularly in the country districts, in such way and manner, and under such conditions, rules, and regulations as I may appoint by any writing under my hand, however informal the same may be, if sufficiently indicative of my intentions; and in case I shall die without establishing any permanent set of rules and regulations, then the foresaid Trustees and Managers are hereby authorised and empowered to form and establish rules and regulations themselves as may be most in accordance with the latest instructions from me, or expression of my opinion contained in any letters or other papers under my hand, whether the same be signed or not, and as the said Trustees and Managers shall conceive best calculated to attain the ends before expressed; declaring always, that the income of my said means and estate shall always be applied in such manner as not in any way to relieve the

heritors or other persons from their legal obligation to support Parochial Schoolmasters, or to diminish the extent of such support, and so as not to interfere with the rights or powers of heritors and presbyteries over schoolmasters, or the schools entrusted to their care, as the said rights or powers are by law insured to them; and in order to enable my said Trustees and Executors, and also the said Trustees and Managers, to perform this Trust more easily, I hereby authorise them to appoint a proper person from time to time as they shall see fit, to act as their factor, and to allow such factor such salary as they shall see fit, and with power to them to remove him whenever they shall think proper, with power to both sets of Trustees before appointed to compound, transact, and agree, or to submit and refer any questions or differences that may arise between them and any other person or persons in relation to the Trust Estate, all which transactions and submissions, with the decreets arbitral to follow thereupon, shall be valid and effectual; and farther, it is hereby declared that they shall not

be liable for omissions or neglect of any kind, nor for the insolvency of any factor to be appointed by them as above mentioned, nor for the insolvency of any person or persons to whom they may from time to time lend out, or whom they may in any way entrust with the Trust Funds, nor shall they be answerable *singuli in solidum*, or for the intromissions of each other, but each of them only for his own actual intromissions and no farther; and farther, I hereby authorise my said Trustees and Executors, if they shall find it necessary or expedient, to assume from time to time such other Trustees and Executors along with them as they shall see fit, which new Trustees shall have the same powers, faculties, and privileges in every respect as those herein named and appointed; and I hereby revoke and recal all deeds and settlements of a Testamentary nature executed by me on the twenty-second day of September, eighteen hundred and thirty-nine, reserving always to myself my own liferent use and enjoyment of the whole premises, with full power to me at any time in my life, and even on death-

bed, to revoke, alter, or innovate these presents in whole or in part, in any manner of way I may think proper, or to burden the same with legacies; but declaring that, in so far as these presents shall not be altered or revoked, the same shall be valid and effectual, although found lying in my custody, or in the custody of any person for my behoof, undelivered at the time of my death, with the delivery whereof I hereby dispense; and I consent to the registration hereof in the books of Council and Session, Sheriff or Baillie Court Books of Aberdeen, or others competent, for preservation or execution as effeirs, and thereto constitute

my procurators, &c. In witness whereof, these presents, written on this and the two preceding pages, by Ragoba Wunmallee, inhabitant of Bombay, and Clerk to Doctor John Milne, now residing in Bombay, are subscribed by me at Bombay, the fourteenth day of June, in the year one thousand eight hundred and forty-one, before Witnesses, Walter Taylor, Head Clerk in the Accountant's department of the Bank of Bombay, and John M'Leod, Assis-

tant Collector of Land Revenue for the Island of Bombay. (Signed) Jno. Milne; Walter Taylor, Witness; John M'Leod, Witness.

MEMORANDUM ANNEXED TO THE FOREGOING DEED.

The Last Will specified as bearing date the twenty-second day of September, eighteen hundred and thirty-nine, has since been cancelled by me, and a Will has been executed this day under my signature and seal, which I now declare to be my Last Will and Testament, dated at Bombay, this twenty-sixth day of June, A.D. 1841. (Signed) Jno. Milne; Witnesses, John M'Leod, G. Williams Leech, Solr. Sup. Court, Bombay.

THE LAST WILL

OF

JOHN MILNE, M.D.,

LATE PRESIDENT OF THE MEDICAL BOARD ON THE BOMBAY ESTABLISHMENT.

IN THE NAME OF GOD. AMEN.

I, Doctor John Milne, of Bombay, do make and declare this writing to be my Last Will and Testament, in manner following, that is to say:

In the first place, I direct that all my just debts, funeral expenses, and testamentary expenses, be paid as soon as conveniently may be after my decease; and I do then give, devise, and bequeath as under, from the amount of my pecuniary property, which I calculate at this date to be as per schedule annexed.

I give and bequeath to my Executors, hereinafter named, the sum of rupees, twenty-four thousand, of my five per cents. East India Company's Securities, to be held in trust for my very dear little friend, Miss Amy Green, now

at the seminary of Mrs. Ward, in Bombay, the dividends of which said sum of rupees, twenty-four thousand, are to be applied to the maintenance and education of the said Miss Amy Green, during such period as she may remain unmarried.

And with reference to the plan of education now partly in operation, and contemplated to be gradually extended, as specified in a deed executed by me for that purpose, and which deed is hereunto annexed, it is my wish, should such meet with Miss Amy Green's concurrence,* that she should, in conjunction with my friend, Arthur Dingwall Fordyce, employ herself as the Lady Directress, under his instructions, of superintending these institutions, and that my Executors in Bombay, in such case, take an early opportunity of sending her to join my said friend, Arthur Dingwall Fordyce, whom I have addressed on the subject, and should she approve of this plan, then that my said Executors

* Miss Green has given up all claim of interference in any way with the Schools, and has also accepted of a certain sum in full of the foregoing legacy.

do furnish her with such funds for passage and outfit, to enable her to proceed to Scotland, as they may consider reasonable and proper, independent of the beforementioned interest and dividends on the said sum of rupees, twenty-four thousand.

To my maternal cousin, Mrs. Mackay, of Gilcomston, near Aberdeen, the half-yearly sum of £6, say six pounds sterling, during her lifetime.

To Ann Walker, or Law, the mother of Mr. John Milne, the quarterly sum of £3, say three pounds sterling, while such may be deemed requisite by my friend, Arthur Dingwall Fordyce, of Brucklaw and of Culsh, near Aberdeen, under the instructions which I have given him, and in case her son, Mr. John Milne, now of Bombay, should fail to pay her the annual sum of £20, say twenty pounds, which he now makes her.

To an old man of the name of John Moir, now residing at Old Meldrum, near Aberdeen, and whose case has already been introduced to my friend and Executor, the aforesaid Arthur Dingwall Fordyce, I direct that such small

sums as he may consider adequate to his support may be allowed him, not exceeding the sum of £4, four pounds, half-yearly.

In the above bequests I have done justice to those whom I consider to have claims to my protection and support, and as it has pleased Providence to bless me with moderate means, I am desirous that these after my decease should be rendered a blessing to as many others as the extent of these means will admit.

It is education which chiefly constitutes the difference in the qualifications of mankind, and as it is to this source that I mainly owe my own gradual advancement in life, I am naturally disposed to attach a high value to its powerful and enlightening influence, and feel anxious to enable it to diffuse a more genial and cheering ray throughout that part of a country which greatly requires such aid, and which I trust will feel the benefit of my endeavours.

So small is the pittance of salary which is in general bestowed on the Parish Schoolmasters in Scotland, that little inducement exists for men of any talent or acquirement to

engage in such an office; the sources of instruction are, consequently, proportionally defective, and the youth, whose minds ought to be formed, find but a poor and ill adapted model for improvement.

It is, therefore, highly important that the situation of the Parish Schoolmaster should be improved, because it will induce men of abilities and of education to engage in such a task, and I feel that the pecuniary means or property which I may possess at my death, cannot be better employed than in improving the sources of imparting instruction and knowledge to, and consequently of elevating the character, and by this means of promoting the advancement in life, of generations yet unborn.

I then give and bequeath the annual interest of all monies except the sums above specified, and these sums also, as the parties become ineligible, or die, or the period of bequest expires, to be bestowed in sums of £20, twenty pounds each, to the most deserving Parish Schoolmasters within the county of Aberdeen, and that the selection of those persons be made

annually as directed in a special Deed framed by me for the better conduct of this Bequest, always giving a preference to the most populous parishes, and to the best attended schools; for the sums that may be granted, each Schoolmaster to whom they are paid shall be obliged to educate, without fee, twenty-five poor children who could not otherwise provide the means of paying for their education, and that the selection of such children be made by the Kirk Session of the parish. When this annual grant of £20, twenty pounds, is in addition to any other salary he may receive, is once bestowed, it is not again to be withheld, excepting in the case of faulty or immoral conduct, which case is to be determined by the Synod.

And I do nominate, constitute, and appoint Arthur Dingwall Fordyce, of Culsh and Bucklaw, Advocate in Aberdeen; John Andrew Shaw, of the Civil Service of Bombay; Charles Forbes, of the firm of Messieurs Forbes and Company, of Bombay, or the principal resident Partner of that firm in India; and John Milne, of the firm of Messieurs Pollexfen, Milne, and

Company, of Bombay, to be the Executors of this my Last Will and Testament, and hereby revoking all former Wills by me at any time heretofore made, do make and declare this writing only as and for my Last Will and Testament.

And I, the said Doctor John Milne in witness hereof, have to this writing, which I declare as and for my Last Will and Testament, set my hand and seal, the twenty-sixth day of June, one thousand eight hundred and forty-one (Signed) John Milne. (Seal). Signed, sealed, published, and declared by the said John Milne, as and for his Last Will and Testament, in the presence of us, who, in his presence, and in the presence of each other, at his request, have subscribed our names as witnesses, John M'Leod, G. Williams Leech, Sol^r. Sup. Court, Bombay.

DECREE OF DECLARATOR, &c.,

IN THE CONJOINED PROCESS OF MULTIPLEPOINDING, DECLARATOR, DENUDING, &c.,

BETWEEN

DR. JOHN MILNE'S EXECUTORS,

AND

HIS OFFICIAL TRUSTEES AND REPRESENTATIVES,

31*st May*, 1844.

At Edinburgh, the thirty-first day of May, one thousand eight hundred and forty-four years. In the three conjoined actions of Multiplepoinding, Declarator, Denuding, Exoneration, &c., presently depending before the Lords of Council and Session, between the following parties, viz.:—(Here the parties are named, viz., the Executors and Official Trustees appointed by Dr. Milne and his next of kin and others). After various steps of procedure, sitting in judgment, the said Lords of Council and Session, of the date hereof, in terms of a Joint Minute, number of Process,

Found and Declared, and hereby Find and Declare, that the Trust Deed before-mentioned, executed by the said deceased Dr. John Milne, bearing date the fourteenth day of June, eighteen hundred and forty-one, is a valid and subsisting Deed, affecting the estate and succession of the said deceased, and that the same has not been revoked and annulled, but on the contrary has been generally confirmed and ratified by the Last Will and Testament before mentioned, executed by the said deceased, and bearing date the twenty-sixth day of June, eighteen hundred and forty-one; and that the said Trust Deed, except in so far as it may be controlled, modified, or explained by the said Last Will and Testament, is a regulating instrument, and effective in carrying out the purposes of the deceased, and as expounding his will and intentions in regard to the disposition, management, and application of the free residue of his estate; and that accordingly, both the said Trust Deed, and the said Last Will and Testament, must be held, taken, and construed together, as both of them combined and co-relative, forming the

Last Will of the said deceased Dr. John Milne, and together importing and expressing the terms of his final settlement of his estate and succession, and demonstrative of his meaning and intentions and desire, in reference to the objects and purposes to which the free residue of his estate is intended by him to be perpetually devoted and applied, and the persons by whom the same is to be held in trust for securing the fulfilment of the said objects and purposes, and for carrying the same into effect, all in terms of the first Conclusion of the said Summons of Declarator, Denuding, &c.:—And further, under the second Conclusion of the said Summons, Found, Decerned, and Declared, and hereby Find, Decern, and Declare, that the Executors (Pursuers of said Action), are entitled and bound to pay over the whole sums of money forming the free residue of Dr. Milne's estate and succesion, in so far as the same remains, or may come into their hands, or under their control, to the claimants, Provost Thomas Blaikie, and others, official Trustees and Managers foresaid named and described in the

Trust Deed libelled, or to their successors in office for the fulfilment of the purposes set forth in the said Trust Deed, and in the relative Last Will and Testament libelled; and Found and hereby Find, it unnecessary to pronounce any finding on the alternative branch of the said second Conclusion:—Further, in the actions of Multiplepoinding, conjoined with the Declarator, Sustained, and hereby Sustain, the claim of the said official Trustees and Managers to the funds *in medio*, as so much of the free proceeds of Dr. Milne's estate and succession, to be by them and their successors in office invested, managed, and applied in fulfilment of the purposes aforesaid, but subject always to such deductions as shall be ascertained in the course of the proceedings, including the expenses of all parties who may be found entitled to the same, out of the funds; and Ranked and Preferred, and hereby Rank and Prefer, the said official Trustees and Managers accordingly:—And in the meantime Granted Warrant to and Ordained, and hereby Grant Warrant to and Ordain, Provost Thomas Blaikie, Charles

Chalmers, Advocate in Aberdeen, late President of the Society of Advocates there, and the Reverend James Foote, Minister of the Gospel, Aberdeen, Pursuers of one of the conjoined Actions of Multiplepoinding and Exoneration, to uplift the money deposited in their names in the Aberdeen Town and County Bank, amounting at the date of their Condescendence, to thirty-six thousand five hundred and eighteen pounds, fifteen shillings, being so much of the free proceeds of the said Succession, together with the bank interest thereon, and to pay over the same to the said official Trustees and Managers, or their successors in office, or their quorum, for the purposes of the Trust under their management; and upon payment thereof, Declared, and hereby Declare, the said Thomas Blaikie, Charles Chalmers, and James Foote, and also the Executors of Dr. Milne, Pursuers of the Action of Declarator, exonerated and discharged at the hands of all concerned, to the extent of such payment, and Decerned, and hereby Decern, reserving *hoc statu*, the effect of the claim of the said official Trustees and Man-

agers on the remaining balance of the Truster's free succession; and also Reserved, and hereby Reserve, all questions of expenses; and Decerned, and hereby Decern accordingly, and ordain all execution necessary and competent to pass, and be direct hereon in form as effeirs.

G. CORNWALL AND SONS, PRINTERS, ABERDEEN.